

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-30375-2023 (O&M)
Date of decision: 21.01.2025**

Subhash Chander and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Shiv Kumar Sharma, Advocate for the petitioners.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana
for the respondent.

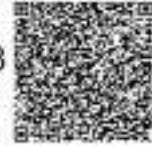
Mr. Lalit Kumar Yadav, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) for grant of pre-arrest bail to the petitioners in FIR No.252 dated 26.04.2023 (P-1), under Sections 420, 406 & 120-B of the Indian Penal Code, 1860 (*for short 'IPC'*), registered at Police Station Urban Estate, Hisar.

(2) Learned Counsel contends that petitioners were granted interim bail by the Coordinate Bench, vide order dated 27.11.2024 and in pursuance thereof, they have already joined the investigation; hence, their custodial

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interrogation is not required. Also contends that now matter has been amicably settled between the parties i.e. petitioners as well as complainant.

(3) The above factual position is not disputed by learned State Counsel, on instructions from ASI Sher Singh, as well as learned Counsel for the complainant.

(4) Heard learned Counsel for the parties and perused the paper-book.

(5) It transpires that petitioners were granted interim bail by the Coordinate Bench, vide order dated 27.11.2024 and the order reads as under:-

“As per report dated 20.11.2024 received from Mediation and Conciliation Centre, Hisar, the parties appeared before the Mediator and the parties have settled the dispute.

Adjourned to 21.01.2025.

In the meantime, the petitioners are directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of their arrest, the Investigating/Arresting Officer shall release the petitioners on interim bail on furnishing personal/surety bonds to his satisfaction. They shall abide by the following conditions as envisaged under Section 438 (2) of Cr.P.C.

1) That the petitioners shall make themselves available for interrogation by a police officer as and when required to do so.

2) That the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the Court or to any police officer.

3) That the petitioners shall not leave India without prior permission of the Court.”

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(6) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioners have joined investigation and their custodial interrogation is not required.

(7) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioners. Consequently, present petition is allowed; interim order dated 27.11.2024 is made absolute subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

(8) It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

(9) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(10) It is also clarified that in case of any recurrence on the part of petitioners, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

21st January, 2025
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>