

Law Today Live Doc. Id. 15130

PUNJAB AND HARYANA HIGH COURT

Before: Rajbir Sehrawat, J.

CRM-M-18543 of 2020 (O&M)

Decided on: 14.07.2020

Ajay Yadav and another

Petitioners

Versus

State of Haryana

Respondent

In virtual Court

Present:

Mr. Rajinder Singh Bhatia, Advocate for the petitioners.

Code of Criminal Procedure, 1973 (2 of 1974), Section 438 -- Indian Penal Code, 1860 (45 of 1860), Section 323, 324, 34, 506 – Criminal intimidation – Anticipatory bail -- All the offences except the offence under Section 506 IPC, alleged against the petitioners are bailable -- Petitioners are granted concession of anticipatory bail.

(Para 1, 5, 6)

JUDGMENT

RAJBIR SEHRAWAT, J. (ORAL) –

1. The present petition has been filed by the petitioners under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.14 dated 22.02.2020 registered under Sections 323, 34, 506 IPC (Section 324 IPC added later on) at Police Station Mansa Devi Complex, District Panchkula, Haryana.

2. It is contended by counsel for the petitioners that the case against the petitioners is fabricated and motivated. In fact; earlier the complainant of the present case had attacked the petitioners. On account of that, an FIR was lodged against the complainant. However, later on, the matter was compromised. Having a grudge of that matter, the present FIR has been concocted by the complainant. However, the fact remains that all the offences except the offence under Section 506 IPC, alleged against the petitioners, are bailable. The petitioners will join the investigation.

3. Notice of motion.

4. Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State.

5. Learned State Counsel, on instructions from ASI Pardeep Kumar submits that there are specific allegations against the petitioners. The injuries have been inflicted by the petitioners with a knife. Hence, the custodial interrogation of the accused/ petitioners is required. However, it is not disputed that all the offences except the offence under Section 506 IPC, alleged against the petitioners are bailable.

6. In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail. Therefore, it is directed that in case of their arrest, the petitioners shall be released on bail subject to their furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer.

However, it is further directed that the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Petition allowed.
