

“prayer in This Petition Is for Grant of Anticipatory Bail to Petitioners Ravinder Vs. State of Haryana and anr.

“prayer in This Petition Is for Grant of Anticipatory Bail to Petitioners Ravinder Vs. State of Haryana and anr.

SooperKanoon Citation : sooperkanoon.com/1140896

Court : Punjab and Haryana

Decided On : May-21-2014

Appellant : “prayer in This Petition Is for Grant of Anticipatory Bail to Petitioners Ravinder

Respondent : State of Haryana and anr.

Judgement :

CRM Nos. M-7750 and 8453 of 2014 1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH1 CRM No.M-7750 of 2014 Ravinder @ Babloo and Anr. ...Petitioners Versus State of Haryana & Anr. ...Respondents 2. CRM No.M-8453 of 2014 Dharmender @ Dharmu and Ors. ...Petitioners Versus State of Haryana & Anr. ...Respondent Date of Decision:- 21.5.2014 CORAM: HON'BLE MR.JUSTICE MEHINDER SINGH SULLAR Present: Mr.Surinder Dagar, Advocate for the petitioners. Mr.Jai Narain, DAG Haryana for the State. Mehinder Singh Sullar, J.

(Oral) As the identical points for consideration to grant the concession of anticipatory bail or otherwise to petitioners Ravinder alias Babloo son of Devinder Singh & Anr. and Dharmender alias Dharmu son of Narender and others are involved, therefore, I propose to decide the indicated petitions i.e. CRM No.M-7750 of 2014 (for brevity the 1st petition.) and CRM No.M- 8453 of 2014 (for short 2nd petition.), arising out of the same case/FIR, Arvind Kumar Sharma 2014.05.22

10:51 I attest to the accuracy and integrity of this document Chandigarh CRM Nos. M-7750 and 8453 of 2014 2 vide this common order to avoid the repetition of facts.

2. The petitioners have preferred the instant separate petitions for the grant of concession of anticipatory bail, invoking the provisions of section 438 Cr.PC, in a criminal case instituted against them on a private complaint filed by complainant Shyam Sunder son of Bijender Singh (respondent No.2), in which, they were summoned to face the trial for the commission of offences punishable u/ss 323, 341, 506 read with section 149 IPC and section 3 of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 by way of summoning order dated 11.11.2013 (Annexure P3) by the Court.

3. Notices of the petitions were issued to the State.

4. After hearing the learned counsel for the parties, going through the record with their valuable help and after deep consideration over the entire matter, to my mind, the present petitions for anticipatory bail deserve to be accepted in this context.

5. During the course of preliminary hearing, a Coordinate Bench of this Court (Naresh Kumar Sanghi, J.) passed the following order in 1st petition on 4.3.2014:- Prayer in this petition is for grant of anticipatory bail to petitioners Ravinder alias Babloo and Partap who have been summoned to face trial for having committed the offences punishable under Sections 323, 341 and 506 read with Section 34, IPC, and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, vide order dated 11.11.2013 (Annexure P-3) passed by learned Sub Divisional Judicial Magistrate, Hodal, in a complaint case titled Shyam Sunder Versus Dharmender alias Dharmu and others.. Learned counsel contends that it is a case of version and cross-version; two persons from the petitioners side had sustained injuries; the Deputy Superintendent of Police, Hodal had investigated the matter and the allegations levelled by Shyam Sunder (complainant) were found to be false and as such the calandra under Sections 107 and 151, Cr.P.C. was presented against both the factions; and that the present complaint has been filed as a counter-blast to the Arvind Kumar Sharma 2014.05.22 10:51 I attest to the accuracy and integrity of this document Chandigarh CRM Nos. M-7750 and 8453 of 2014 3 version presented by the

petitioners before the court. Notice of motion for 02.05.2014. On appearance of the petitioners before the learned trial court on or before the date fixed, they shall be admitted to ad-interim bail, subject to their furnishing bail bonds to its satisfaction.

6. Sequelly, similar order was passed by this Court in 2nd petition on 13.3.2014 as well.

7. At the very outset, the learned counsel has placed on record certified copies of orders dated 7.3.2014 and 20.3.2014, which would reveal that bail and surety bonds furnished by the petitioners, in pursuance of orders of this Court were accepted and attested by SDJM Hodal.

8. In the light of aforesaid reasons, the instant petitions for anticipatory bail are hereby accepted and the interim bails already granted to petitioners, vide orders dated 4.3.2014 and 13.3.2014 are made absolute. Sd/- 21.5.2014 (Mehinder Singh Sullar) AS Judge Arvind Kumar Sharma 2014.05.22 10:51 I attest to the accuracy and integrity of this document Chandigarh

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com