

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CRMPM No.: 665 of 2020

Decided on: 30.06.2020

Diwan Chand and another

....Petitioner.

Versus

State of Himachal Pradesh

...Respondent.

Coram

The Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?¹ No

For the petitioners : Mr. Vinod Chauhan, Advocate.

For the respondent : M/s Somesh Raj, Dinesh Thakur
and Sanjeev Sood, Addl. Advocate
Generals with Ms. Divya Sood,
Deputy Advocate General.

(Through Video Conference)

Ajay Mohan Goel, Judge *(Oral)*

Learned Deputy Advocate General has filed fresh status report, which is perused and taken on record.

2. Heard.

3. On instructions, learned Deputy Advocate General submits that petitioners have joined the investigation as and when directed by the Investigating Officer. Further, as of now, no recovery etc is to be

¹ Whether reporters of the local papers may be allowed to see the judgment?

effected from them nor any hindrance stands created by them in the course of investigation.

4. In view of the above, this petition is allowed and order dated 20.05.2020 is made absolute, subject to the following conditions.

- i) *Petitioners shall make themselves available for the purpose of interrogation, if so required and regularly attend the trial Court on each and every date of hearing and if prevented by any reason to do so, seek exemption from appearance by filing appropriate application;*
- ii) *They shall not tamper with the prosecution evidence nor hamper the investigation of the case in any manner whatsoever.*
- iii) *They shall not make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or the Police Officer; and*
- iv) *They shall not leave the territory of India without prior permission of the Court.*

5. It is clarified that findings which have been returned by this Court while deciding this petition are only for the purpose of adjudication of the present bail application and learned trial Court shall not be influenced by any of the findings so returned by this

Court in the adjudication of this petition during the trial of the case. It is further clarified that in case the petitioners does not comply with the conditions which have been imposed upon them while granting the present bail, the State shall be at liberty to approach this Court for the cancellation of the bail. The petition stands disposed of in the above terms.

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(Ajay Mohan Goel)
Judge

June 30, 2020
(narendar)