

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

Crl. Misc. No.M-19517 of 2015 (O&M)

Date of Decision: July 21, 2015.

Sakir and another

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Monisha Lamba, Advocate
for the petitioner (s).

Mr. Vikramjit Singh, Addl.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 of Code of Criminal Procedure for grant of anticipatory bail to the petitioners Sakir and Mohabbat in case bearing FIR No.2 dated 05.01.2015 registered for offences punishable under Sections 379, 411 of Indian Penal Code, at Police Station Rozka Meo, District Mewat.

Heard.

Learned State counsel on instructions from ASI Ravinder submits that petitioner Sakir has joined the investigation but petitioner Mohabbat has not joined the investigation. The recovery has been effected from Sakir and further custodial interrogation of petitioner Sakir

is not required.

Petitioner Sakir was named in this case by co-accused Imran, who was apprehended at the spot with stolen motorcycle.

As petitioner Sakir has joined the investigation and his custodial interrogation is not required by the police, without expressing any opinion on the merits of the case, petition filed by Sakir is allowed and the order dated 10.06.2015 is made absolute qua petitioner Sakir only till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

As the other petitioner namely Mohabbat has not joined the investigation despite granting of interim bail to him vide order dated 10.06.2015, this petition qua him is dismissed.

July 21, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE