

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

(206)

CRM-M-28741-2015

Decided on: October 30, 2015.

Surjit Singh and another

.... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. S.S. Nara, Advocate, for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

On the instructions of ASI Roop Singh, it has been informed that the petitioners have joined investigation but a motorcycle on which the petitioners escaped, is yet to be recovered.

I have considered the facts and circumstances of the case.

Petitioner No.1 is owner of New Holand Ford tractor trolley, whereas petitioner No.2 is driver of the same. On the basis of secret information, they were intercepted but they were not arrested from the spot.

Pursuant to the interim orders passed by this Court, the petitioners have already joined investigation. The recovery of tractor-trolley and the sand has already been effected. The mere allegation of petitioners having escaped on an unidentified motorcycle is not sufficient enough to curtail the liberty of the petitioners.

In view of peculiar circumstances, the petition is allowed.
Interim order dated 26.08.2015 is hereby made absolute subject to the following conditions:

1. Petitioners will join investigation as and when required;
2. Petitioners will not tamper with the evidence or hamper the investigation in any manner; and
3. Petitioners will not commit similar offence of which they are accused of during pendency of the trial.

(M.M.S. BEDI)
JUDGE

October 30, 2015
harsha