

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-33584 of 2015

.....

Date of decision:30.11.2015

Gagan Kumar Gaba and another

.....Petitioners

v.

State of Haryana

.....Respondent

....

Present: Mr. J.S. Bedi, Senior Advocate with Mr. Himanshu Jawa,
Advocate for the petitioners.

Mr. Himmat Singh, Assistant Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.307 dated 14.9.2015 registered for the offences under Sections 420, 468 and 471 IPC and Section 13-A of Gambling Act at Police Station Civil Lines, District Sonapat.

Notice of motion has been issued in this case.

Mr. Himmat Singh, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners and learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that the petitioners have already joined

[2]

the investigation and are not required for any custodial interrogation. They are not named in the FIR as they were nominated in this case by co-accused. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 30.9.2015 passed by this Court granting interim bail to the petitioners is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 30, 2015.

(Inderjit Singh)
Judge

hsp