

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-44329-2014

Date of decision: 28.04.2015

Sandeep and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Vivek Suri, Advocate for the petitioners.

Ms. Dimple Jain, AAG, Haryana.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioners, namely; Sandeep and Sanjeet, seeking anticipatory bail in FIR No. 392 dated 28.09.2014 registered under Sections 323/341/324/506/307 read with Section 34 of the Indian Penal Code (IPC) (Section 307 IPC was added later on) at Police Station Sampla.

When this case was listed on 24.12.2014, following order was passed:-

“Petitioners claim that after having been granted the concession of bail on 7.10.2014, the police has added offence under Section 307 IPC, raising an apprehension of arrest in the added offence.

Notice of motion to the Advocate General, Haryana, for 3.3.2015.

Meanwhile, an interim direction is issued that

the petitioners will join investigation on 17.1.2015 in the added offence. In case of petitioners doing so, they will be released on interim bail to the satisfaction of the arresting officer.”

Learned counsel for the petitioners submits that petitioners were on regular bail in this FIR and offence under Section 307 IPC was added later on.

Learned State counsel submits that in deference to the order dated 24.12.2014, the petitioners have joined the investigation and they are no more required for further interrogation.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioners vide order dated 24.12.2014 is made absolute and the petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C. and the bail bonds already furnished by the petitioners before trial Court would continue during the pendency of the trial.

April 28, 2015
rishu

(R.P. NAGRATH)
JUDGE