

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CRM-M-17213 of 2016
DECIDED ON: AUGUST 19, 2016

KULDEEP SINGH AND ANR

.....PETITIONERS

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. G.S. Duhan, Advocate
 for the petitioners.

Mr. Surender Singh, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioners have sought pre-arrest bail in case FIR No. 33 dated 24.03.2016 under Sections 454, 380, 511, 148, 149, 323, 427, 506 and 307 IPC registered at Police Station Sector 20, Panchkula.

At the time of issuance of notice of motion on May 18, 2016, following order was passed by this Court:

“Learned counsel for the petitioners submits that the petitioners were not named in the FIR and they have been implicated in the case only on the basis of disclosure statement made by co-accused while in police custody. Learned counsel also submits that co-accused of the petitioners, namely, Netar Pal, Madan Lal, Jagtar Singh, Satender @ Chhotu and Ashok Bhatia have been released on regular bail by the lower Court. Nothing is to be recovered from the petitioners and they are ready to join investigation.

Notice of motion for 19.08.2016.

Meanwhile, the petitioners are directed to join investigation and in the event of arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer. They shall join the investigation as and when required by the Investigating Officer. They shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i)that the petitioners shall make themselves available for interrogation before investigating officer as and when required;*
- (ii)that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;*
- (iii)that the petitioners shall not leave India without the prior permission of the Court”.*

On instructions from ASI Shyam Singh, learned State counsel has submitted that petitioners have joined the investigation on August 10, 2016 and they are no more required for further investigation.

In view of above, instant petition is allowed and order dated May 18, 2016 is made absolute.

However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

AUGUST 19, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned Yes/No

Whether Reportable Yes/No