

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

CRM-M No.30223 of 2016 (O&M)

Date of Decision : 29.09.2016

Khalil and others

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Arjun Atri, Advocate for the petitioners.

Mr. Kuldeep Tiwari, Additional A.G., Haryana.

AJAY TEWARI, J. (Oral)

On 29.08.2016 the following order was passed:-

“This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No. 99 dated 1.6.2016 under Sections 13 (2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Nagina, District Mewat, Haryana.

Learned counsel for the petitioners contends that similarly situated accused was granted the benefit of anticipatory bail by this Court in CRM-M No. 27837 of 2016 vide order dated 23.8.2016.

Notice of motion.

Mr. Kuldeep Tewari, Additional Advocate General, Haryana accepts notice on behalf of the State.

Be that as it may, in the circumstances, keeping in view the above facts, without commenting on the merits of the case, let the petitioners surrender before the Investigating officer on 5.9.2016 and the petitioners shall be released on interim bail subject to the satisfaction of the Arresting/Investigating

Officer. The petitioners shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.

Ordered accordingly.

Adjourned to 29.9.2016.”

Learned Additional Advocate General, on instructions from ASI Ravinder Singh accepts the fact that the petitioners have joined the investigation and are no more required for custodial interrogation. He further states that keeping in view the fact that other co-accused-Rijju has already been granted anticipatory bail by this Court vide order dated 23.08.2016 passed in CRM-M-27837 of 2016, he would not oppose the grant of bail to the petitioners.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioners.

Resultantly, the petition is allowed. The interim order dated 29.08.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

29.09.2016
pooja sharma-I

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No