

CRM-M-33085-2016

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

CRM-M-33085-2016

Date of Decision: 21.11.2016

Sakir and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. I.S.Saggu, Advocate,
for the petitioners.

Mr. Vikramjit Singh, Addl. A. G. Haryana.

INDERJIT SINGH, J. (Oral)

Petitioners namely Sakir, Mubin, Islam, Abdul, Rahim Bux, Tayub, Rajjak, Abdul, Hamid, Islamudeen, Rehmat, Fazar Mohd. @ Mehmooda and Raseed have filed this petition under Section 482 read with Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.440 dated 20.08.2016, registered at Police Station Punhana, District Mewat, under Sections 147, 149, 506 IPC and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

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Learned counsel for the petitioners argued that petitioner No.1, Sakir is the Sarpanch of village and he has defeated nephew of local MLA and due to this grudge, a false FIR has been registered against 16 persons including 13 present petitioners.

In pursuance of the order dated 19.09.2016, the petitioners have already joined the investigation. They are now not required for custodial interrogation. Nothing is to be recovered from them.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioners to custody, I find merit in this petition and the same is allowed. The order dated 19.09.2016, 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.

21.11.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No