

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-38404 of 2015 (O&M)
Date of Decision: 12.01.2016

Manovar Hussain & another

--Petitioners

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mohd. Arshad, Advocate for the petitioners.

Mr. Vivek Saini, D.A.G., Haryana.

Mr. Jamshed Ahmed, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners in case F.I.R. No.303 dated 6.10.2015 under sections 384, 120-B I.P.C, registered at Police Station, Hathin, District Palwal.

On 6.11.2015, while issuing notice of motion, the following order was passed by this Court:-

“Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioners, namely, Manovar Hussain son of Mohd. Illyas, and Khunni son of Amjuddin, both residents of village Boraka, Tehsil Hathin, District Palwal, who have been booked for having committed the offences punishable under Sections 120-B and 384, IPC, in a case arising out of FIR No. 303, dated 6.10.2015, registered at Police Station, Hathin, District Palwal.

Learned counsel contends that the name of petitioner No. 1, Manovar Hussain, is not mentioned in the FIR and no allegation against petitioner No. 2, Khunni, has been levelled for demanding of the amount.

Notice of motion for 12.1.2016.

Meantime, in the event of their arrest, the petitioners shall be released on ad-interim bail, subject to furnishing bonds in the sum of `25,000/- (Rupees twenty-five thousand only) with one surety in the like amount by each one of them, to the satisfaction of the Arresting Officer.

The petitioners shall join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2), Cr.PC.”

Learned State counsel upon instructions from S.I. Satyavir Singh would apprise the Court that the petitioners have since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioners, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 6.11.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.01.2016
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