

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

201

**CRM-M-38430-2015
Date of Decision : 19.10.2016**

AKAL AND OTHERS

..... PETITIONERS

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. ADS Jattana, Advocate
for the petitioners.

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

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioners under Section 438 Cr.P.C. in case FIR No.364 dated 28.08.2015 registered under Sections 332/342/365/149/186/148/353/506 IPC at P.S.Tosham, District Bhiwani.

Affidavit of Pratiksha Godara, IPS, Superintendent of Police, Bhiwani has been filed, the same is taken on record. Copy has been

supplied to the opposite party. As per the affidavit, cancellation report has been filed.

On 16.11.2015, the following order was passed:

“Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the case whereas it was only the complainant, who made demand of bribe, which was not accepted. The matter was before the Panchayat as well, which is mentioned in the allegations but due to the humiliation faced by the complainant, who is a Police official, the present FIR has been registered. Learned counsel also submits that there are certain other complaints of similar nature against the complainant. The petitioners are ready to join investigation.

Notice of motion for 17.12.2015.

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.”*

Consequently, the order dated 16.11.2015 is made absolute,
subject to the provisions of Section 438 of the Cr.P.C.

The present petition stands allowed accordingly.

(AJAY TEWARI)
JUDGE

October 19, 2016
anuradha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No