

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

**Crl. Misc. No.M-16586 of 2017 (O&M)
Date of Decision: July 18, 2017**

Ramesh Kumar and others

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arjun Sheoran, Advocate
for the petitioner (s).

Mr. Deepak Grewal, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.128 dated 18.04.2017 registered for the offences punishable under Sections 379 read with Section 120-B of Indian Penal Code; 4, 4(1)(A) of Mines and Minerals (Regulation of Development) Act, 1957; and 3(2) of Prevention of Damage to Public Property Act, 1984 at Police Station Naraingarh, District Ambala.

Heard.

Learned State counsel submits that petitioners have joined the investigation. The issue raised by learned counsel for the petitioner that FIR could not be registered against the petitioners is a debatable issue, which may be decided in separate proceedings. The investigation is still in

progress but the custodial interrogation of the petitioners is not required for further investigation.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 10.05.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police 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 accusation against them 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.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

July 18, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***