

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

CRM-M -31049 of 2017 (O&M)

Date of decision: 29.09.2017

Naveen and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vivek Khatri, Advocate for the petitioner(s).

Ms. Mahima Yashpal, AAG, Haryana
assisted by SI Raj Kumar.

Mr. Ajay Chaudhary, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.481 dated 24.07.2017, registered under Sections 498-A and 306 read with Section 34 of IPC, at Police Station City Hansi, District Hisar.

On 24.08.2017, this Court had passed the following order:-

“Learned counsel contends that wife of petitioner No.1 herself left the matrimonial home in the year 2014. Thereafter, petitioner No.1 did not have effective communication with the family of the complainant. The father of the complainant committed suicide in the month of June, 2017.

Notice of motion for 29.09.2017.

The petitioners are directed to join the investigation.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:-

1.That they shall make themselves available for interrogation by a police officer as and when required;

2.That they 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

*and;
3.That they shall not leave India without prior permission of
the Court.”*

It is contended that in pursuance of the order dated 24.08.2017, the petitioners have joined the investigation.

The learned State counsel, on instructions submits that though the petitioners have joined the investigation, however, subsequently supplementary statement of sister of the complainant and wife of the petitioner No.1 was recorded and after investigation, Section 406 of IPC has been added.

Learned counsel for the complainant opposes the bail petition.

The daughter of deceased and sister of the complainant has been residing at parental home since 2014 and allegedly did not have effective communication either with the deceased or other family members of the family. Considering the fact that the petitioner has joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 24.08.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

29.09.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No