

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43115-2016
Date of decision-27.01.2017

Rahul and others

...Petitioners

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Raghav Goel, Advocate,
for Mr. S.P.S.Sidhu, Advocate, for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
assisted by SI Suresh Kumar.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.718 dated 25.11.2015, registered under Sections 148, 323, 341, 379, 427 and 506 read with Section 149 at Police Station Samalkha, District Panipat.

On 09.12.2016, this Court had passed the following order:-

“Counsel for the respondent states that the IO has not come present.

Counsel for the petitioner has argued that in this case 7 main accused have been arrested; as against the present petitioners two are accused of having given fist blow and no role has been attributed to the third petitioner, and he would have no objection to the adjournment but in that event, interim relief may be granted to the petitioners.

I find this to be a fair request. Adjourned to 27.1.2017. Meanwhile, in the event of their arrest, the petitioners shall be released on interim anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438 (2) of the Cr.P.C.”

It is contended that in pursuance of the order dated 09.12.2016,

the petitioners have joined the investigation. The learned State counsel, submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 09.12.2016, 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.

(JITENDRA CHAUHAN)
JUDGE

January 27, 2017
adhikari

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