

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

CRM-M-6141-2017 (O&M)
Date of decision : 02.05.2017

Naseem

...Petitioner (s)

Versus

State of Haryana

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner (s).

Mr. Arun Kumar, AAG, Haryana
assisted by ASI Devender 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.33, dated 28.01.2017, registered under Section 120-B IPC and Section 13/2 Haryana Gouvansh Sanrakshan and Gausamvardhan Act, 2015, at Police Station Tauru, District Mewat.

On 23.02.2017, the following order was passed:-

“It is inter alia argued that the present FIR against petitioner-Naseem has been registered merely on the basis of a secret information and neither anything has been recovered from him nor he was apprehended/identified at the spot. Since, nothing is to be recovered from him, he is entitled to the relief, so sought.

Notice of motion for 02.05.2017.

Meanwhile, in the event of arrest, the petitioner be released on interim bail to the satisfaction of arresting/investigating officer. The petitioner shall, however, join the investigation as and when called for to do so and he

shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

The learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is 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 23.02.2017, 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.

02.05.2017

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No