

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

CRM-M-10106-2018

Date of decision: 18.05.2018

Rohtash and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Manish Soni, Advocate,
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This Court was pleased to pass the following order on
09.03.2018 :-

“This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in FIR No.1075 dated 20.11.2017, under Sections 147, 149, 323, 506 of Indian Penal Code (Sections 148, 325 & 308 IPC added later on and Section 354 IPC deleted), registered at Police Station Sadar Gurugram, District Gurugram.

Learned counsel for the petitioners contends that the petitioners herein had earlier been granted interim anticipatory bail by the Additional Sessions Judge, Gurugram for offences punishable under Section 147, 148, 149, 323, 354, 506, 325 of Indian Penal Code, on the same set of allegations and medical available. However, later on Section 308 of Indian Penal Code has been added, while deleting Section 354 of Indian Penal Code. It is argued that the petitioners herein have already joined the investigation under the sections invoked earlier. It is submitted that the sentence under the newly added Section 308 IPC would be

same, as under Section 325 IPC. It is also contended that co-accused Ravinder has already been granted interim anticipatory bail by this court in CRM-M-1247 of 2018 and the petitioners herein are ready to cooperate and join the investigation.

Notice of motion for 18.04.2018.

To be heard along with CRM-M-1247-2018.

Meanwhile, the petitioners are directed to join the investigation within a period of one week and on their doing so, the petitioners be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners submits that the petitioners have joined the investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by the petitioners.

Since the petitioners have joined the investigation, the petition is allowed and interim order dated 09.03.2018 is hereby made absolute subject to the condition that the petitioners will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

18.05.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.