

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

(1)

**Crl. Misc. No.M-11233 of 2018 (O&M)
Date of Decision: August 28, 2018**

Nikhil

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

(2)

Crl. Misc. No.M-14376 of 2018 (O&M)

Ankit and another

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Yowan Sharma, Advocate
for the petitioner (s).

Ms. Dimple Jain, AAG, Haryana.

Mr. D.P. Singh Ahluwalia, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.30 dated 25.02.2018 registered for the offence punishable under Sections 323, 324, 506 Indian Penal Code (Section 325 IPC added later on), at Police Station Kalka District Panchkula.

Heard.

Learned State counsel on instructions from ASI Zile Singh submits that petitioners have joined the investigation, which is still in progress but the recovery of weapons used in the occurrence by the petitioners has not been effected so far.

The petitioners have joined the investigation long back. The mere fact that weapon used in the occurrence have not been recovered, is no ground to extend the interim bail or decline the same. It is a case of cross-version and the matter is still under investigation.

Keeping in view the above facts but without expressing any opinion on the merits of the case, both these petitions are allowed. Orders dated 22.03.2018 passed in CRM-M-11233-2018 and 06.04.2018 passed in CRM-M-14376-2018 are 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.

August 28, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No