

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

**CRM-M-35431-2018
Date of decision: 27.09.2018**

Subhash and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Surinder Gaur, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 396 dated 30.07.2018, registered under Sections 323, 452 and 506 of the IPC at Police Station Ganaur, District Sonapat.

The operative part of the order dated 23.08.2018, vide which petitioner Nos. 2 to 4 have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners, at the very outset, has submitted that he may be permitted to withdraw the anticipatory bail application qua petitioner No.1 – Subhash.

Ordered accordingly.

Learned counsel for the petitioners has further submitted that petitioner No.2 is working as a mid-day meal worker in government school, Ganaur and petitioners No.3 and 4 are the school going children. It is further submitted that the main allegation in the FIR, are against petitioner No.1 and the complainant is the mother-in-law of the real brother of Subhash. Learned counsel for the State, on instructions from HC Jaivir Singh, assisted by

counsel for the complainant has relied upon the video clip, which has been shown to learned counsel for the petitioner, in which the presence of accused – Subash is apparent.

List again on 27.09.2018.”

Learned counsel for the petitioners submits that petitioner Nos. 2 to 4, in pursuance to the order dated 23.08.2018, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from SI Mukesh Kumar, has not disputed the factual position and submits that petitioner Nos. 2 to 4 have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to petitioner Nos. 2 to 4, vide order dated 23.08.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

September 27, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No