

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

Crl. Misc. No. M-37128 of 2017

Date of Decision : January 09, 2018

Tayyub and anotherPetitioners

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

...

Present: Mr. Saleem Ahmed, Advocate
for the petitioners.

Mr. Anmol Malik, AAG, Haryana.

...

LISA GILL, J. (Oral)

The petitioners Tayyub, aged 19 years, and Muffi, aged 18 years, seek the concession of anticipatory bail in FIR No. 78 dated 26.07.2017 under Sections 323, 354, 452, 506 IPC registered at Women Police Station Mewat, District Nuh.

It is submitted that the petitioners have been falsely implicated in this case which was registered after an unexplained delay of more than two months. The present FIR No. 78 dated 26.07.2017, it is submitted, has been registered as a counter-blast to FIR No. 338 dated 13.05.2017 under Sections 323, 341, 506, 34 IPC (Annexure P2) which was registered at the instance of the petitioners sister. Moreover, the petitioners are not involved in any other criminal case. They have joined investigation pursuant to order dated 03.10.2017 passed by this Court. They will not abuse this concession in case this petition is allowed.

Learned counsel for the State, on instructions from ASI Shobha Rani, verifies that both the petitioners have joined investigation and their custodial interrogation is not required. Petitioners are not reported to be involved in any other criminal case. Registration of FIR No. 338 dated 13.05.2017 under Sections 323, 341, 506, 34 IPC at the instance of the petitioners sister is affirmed.

There is no allegation that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition. Consequently, order dated 03.10.2017 is made absolute.

None of the observations made here-in-above shall be construed to be a reflection on merits of the case and shall have no bearing on trial.

09.01.2018
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No