

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

**Crl. Misc. No.M-40052 of 2018 (O&M)
Date of Decision: September 19, 2018**

Naresh Kumar and another

.....PETITIONER(s).

VERSUS

State of Haryana

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Namit Khurana, Advocate
for the petitioner (s).

Mr. Amrik Narwal, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.104 dated 28.07.2018 registered for the offence punishable under Sections 379 Indian Penal Code and 21 (4) of Mines and Minerals (Development & Regulation) Act, 1957, at Police Station Buria, District Yamuna Nagar.

Heard.

Learned State counsel submits that petitioners have joined the investigation, which is still in progress but their custodial interrogation is not required for the purpose of further investigation.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and

order dated 13.09.2018 is 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.

September 19, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***