

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

CRM-M-4177-2018

Date of decision: 16.05.2018

Aashish Kumar and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Vijay Lakshmi, Advocate, for
Mr. Ramnish Puri, Advocate,
for petitioner Nos. 2 & 3, namely Avinash Kumar and Anurag.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to petitioner Nos. 2 & 3, namely Avinash Kumar and Anurag in case FIR No. 224 dated 18.06.2017 under Sections 498-A, 377, 354-A, 354-B, 354-D, 323, 120-B & 506 IPC IPC, registered at Police Station Farakpur, District Yamuna Nagar.

This Court was pleased to pass the following order on 02.02.2018 :-

“Learned counsel for the petitioners herein would contend that the present petition is being pressed only on behalf of petitioner Nos. 2 & 3 i.e. Avinash Kumar and Anurag sons of Sh. Ramesh Chand. The same is not being pressed for Aashish Kumar-petitioner No.1, since he was arrested and released on regular bail.

It is argued that learned Addl. Sessions Judge has

failed to take note of the statement recorded under Section 164 Cr.P.C. in which no allegation of stalking or teasing has been made out. He submits that no recoveries are to be made from them. They are ready to join investigation.

Notice of motion for 16.05.2018.

Meanwhile, in the event of arrest, petitioner No. 2 & 3 be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, they shall 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 petitioner Nos. 2 & 3, namely Avinash Kumar and Anurag have joined the investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by petitioner Nos. 2 & 3, namely Avinash Kumar and Anurag.

Since the petitioner Nos. 2 & 3, namely Avinash Kumar and Anurag have joined the investigation, the petition is allowed and interim order dated 02.02.2018 is hereby made absolute subject to the condition that they 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.

16.05.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.