

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42369-2018
Date of decision-17.12.2018

Mahender Singh and another Vs.Petitioners

State of Haryana ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kunal Dawar, Advocate for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
HC Bhim Singh.

MANOJ BAJAJ, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.455 dated 03.09.2018 registered under Sections 186, 332, 353 and 506 read with Section 34 of the Indian Penal Code at Police Station City Palwal, District Palwal, Haryana.

On 26.09.2018 this Court had passed the following order:-

“Learned counsel for the petitioners submits that petitioners were not named in the FIR. It was in the supplementary statement that complainant had come up with the name of petitioners as he has reason for falsely implicating the petitioners, who had been complaining on the App of “Swachh Bharat” and also to Municipal Councillor of the area against the collection of garbage and performance of duties by the staff deputed to clean the road/street.

Notice of motion for 17.12.2018.

Petitioners are directed to surrender before the police and join investigation within two weeks. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their furnishing

bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

Learned counsel for the petitioners contends that in pursuance of the order dated 26.09.2018, the petitioners have joined the investigation.

Learned State counsel on instructions from HC Bhim Singh submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, the interim bail granted by this Court vide order dated 26.09.2018, is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

17.12.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No