

CRM-M-42593-2018

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

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Date of Decision: 23.10.2018

Shakir and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Akshay Kumar Jindal, Advocate,
for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioners-Shakir, Alimuddin, Mohd. Irfan and Mohd. Irshad have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.349 dated 23.11.2017, registered at Police Station Shivaji Nagar, Gurugram, District Gurugram, Haryana, under Sections 420, 166, 167, 384, 465, 467, 468, 471, 120-B of the Indian Penal Code and Sections 7, 8, 10, 12, 13, 13(1) D and 15 of the Prevention of Corruption Act, 1988.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

From the record, I find that the present petitioners are not

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named in the FIR. The allegations against the present petitioners are that they applied for the renewal of their driving licences and got renewed the same by depositing the fee of ₹430/- each, however, they got it done by depositing less fee and not furnishing appropriate documents.

In pursuance of the interim order dated 27.09.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 27.09.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

23.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No