

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

CRM-M-43793-2017 (O&M)
Date of decision: 19.12.2018

Rajesh and others

... Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Arjun Sheoran, Advocate.
for the petitioners.

Mr. R.K.Makkad, DAG, Haryana.

Mr. Viraj Gandhi, Advocate,
for the complainant.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.180 dated 12.6.2016 registered for the offences punishable under Sections 148, 149, 307, 323, 324, 325, 506, 302 of Indian Penal Code, at Police Station Sadar, Panipat, District Panipat.

Heard.

Briefly stated, the petitioners were arrested on different dates. Petitioners Joginder and Ankush were arrested on 15.6.2016 whereas Jagdish and Tejpal were arrested on 22.9.2016 while Sanjay was arrested on 24.9.2016 and Rajesh was arrested on 25.9.2016.

During the investigation, sufficient evidence was not collected and the prosecution story against them was found to be doubtful. Therefore,

an application for their discharge was filed under the provisions of Section 169 Cr.P.C. which was allowed and they were discharged.

After submission of the challan, they have been summoned under Section 319 Cr.P.C. vide order dated 28.10.2017.

Learned State counsel states that the petitioners have joined the investigation and nothing is to be recovered from them.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 24.11.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation as and when required by the police;
- (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 them 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 trial Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

December 19, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No