

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

CRM M-48238 of 2017 (O&M)

Date of Decision: 17.04.2018.

Vivek and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Parteek Rathee, Advocate,
for the petitioners.

Mr. Ripu Daman, AAG Haryana
assisted by ASI Reena.

Mr. Rakesh Dhiman, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

It is submitted by the learned counsel for the petitioners that inadvertently, offence under Section 406 IPC has not been mentioned in the head note of the petition, although, the same is reflected in the FIR. Therefore, it is ordered that the offence under Section 406 IPC be also read as part of the petition and order as well.

The present petition has been filed under Section 438 Cr.P.C seeking anticipatory bail in case FIR No.280 dated 27.12.2016 registered under Sections 498-A, 406 and 506 read with Section 34 IPC at Police Station Women, Gurgaon.

On 25.01.2018, this Court had passed the following order:-

“At the request of learned counsel for the complainant, hearing is deferred to 27.02.2018.

The petitioners are directed to join the investigation and

appear before the Investigating Officer on 27.01.2018 at 11.30 a.m in the Police Station concerned.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:-

1.That they shall make themselves available for interrogation by a police officer as and when required;

2.That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3.That they shall not leave India without prior permission of the Court.”

It is contended that in pursuance of the order dated 25.01.2018, the petitioners have joined the investigation.

Learned State counsel, on instructions, states that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of above, the order dated 25.01.2018 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioners to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

17.04.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

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