

Sr. No.206

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

CRM No. M-5382 of 2018 (O&M)

Date of Decision: 02.04.2018

Gaurav Kumar @ Gaurab Kumar and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rakesh Gupta, Advocate,
for the petitioners.

Mr. Ashish Yadav, Additional A.G., Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.14 dated 08.01.2017, under Sections 306, 34 of IPC, registered at Police Station Sadar Thanesar, District Kurukshetra.

While issuing notice of motion, the following order was passed by this Court on 16.02.2018:-

“Petitioners seek concession of pre-arrest bail in case FIR No.14, dated 08.01.2017, under Sections 306/34 IPC, registered at Police Station Sadar Thanesar, District Kurukshetra.

Counsel would argue that there is nothing in the FIR or for that matter in the alleged suicide note indicating any overt action/manner indicating that the petitioners herein had abetted the deceased to commit suicide. Furthermore, counsel has referred to the order

dated 21.09.2017 passed by the learned Additional Sessions Judge, Kurukshetra and in terms of which co-accused Tarsem Kumar father of Anchal has been granted concession of anticipatory bail.

List for further consideration on 02.04.2018.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Pardeep Kumar, Police Station Sadar Kurukshetra informs the Court that the petitioners have since joined investigation.

In such view of the matter, custodial interrogation of the petitioners would not be warranted.

Petition is allowed.

Order dated 16.02.2018 passed by this Court is made absolute.

Disposed of.

02.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No