

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 8857 of 2018 (O&M)

Date of decision : 19.4.2018

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Hassan and others

.....Petitioners

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Ms. Amanpreet Kaur Sabharwal, Advocate for
Mr. Jamshed Ahmed, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Ms. Rosi, Advocate for the complainant.

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H. S. Madaan, J. (Oral)

Learned counsel for the petitioners states that the petitioners have since joined the investigation. This fact is conceded by the learned State counsel, who on instructions from HC Samay Singh, states that petitioners are not required by the local police for further investigation, since no recovery is to be effected from them.

Learned counsel appearing on behalf of the complainant has expressed an apprehension that if granted pre-arrest bail, the petitioners may harass the complainant. That fact can be taken care of.

In these circumstances, the interim bail granted to the

petitioners vide order dated 1.3.2018 is made absolute, subject to fulfillment of following conditions envisaged under Section 438(2) Cr.P.C. :-

- i) that the petitioners shall join the investigation 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 case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
- iii) that the petitioners shall not leave India without the prior permission of the Court and shall surrender their passports, if any.

The petition in that way is allowed.

It is made clear, that in case the petitioners are found violating any terms and conditions, the order granting pre-arrest bail shall be liable to be withdrawn.

19.4.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No