

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

**CRM-M No.2586 of 2019 (O&M)
Date of Decision: 12.07.2019**

Rakesh and others

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Ravinder Malik, Advocate for the petitioners.

Mr. Arun Beniwal, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.875 dated 21.12.2018, under Sections 148, 149, 323, 324, 341, 506 of the Indian Penal Code, 1860 (*for short 'IPC'*) (Section 326, IPC added later on), registered at Police Station Sampla, District Rohtak.

This Court, on 06.03.2019, passed the following order:-

“ Adjourned to 26.4.2019.

Meanwhile, let the petitioners join the investigation and in the event of arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer. They shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioners shall make themselves available for interrogation before investigating officer as and when required;

(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;

(iii)that the petitioners shall not leave India without the prior permission of the Court. ”

Learned Counsel for the petitioners has pointed out that present petition qua petitioner Nos.1 and 3, namely, Rakesh and Dharampal has been rendered infructuous as they have been arrested before passing of the order dated 06.03.2019 by this Court.

Ordered accordingly.

Contentends that in terms of above order dated 06.03.2019, petitioner No.2-Manjeet has joined the investigation.

Learned State Counsel, on instructions from S.I. Karan Singh, has acknowledged the aforesaid factual position and submitted that custodial interrogation of the petitioner is no longer required.

In view of above, interim order dated 06.03.2019 is made absolute qua petitioner No.2-Manjeet subject to the conditions envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner No.2-Manjeet shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

July 12, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>