

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

CRM-M-4960-2019

Date of decision-22.05.2019

Farrukh and others

...Petitioners

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Lamba, Advocate for the petitioners.
Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Rajesh Kumar.

MANOJ BAJAJ, J.

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.06 dated 09.01.2019 under Sections 420, 406 and 120-B of Indian Penal Code registered at Police Station Sohna, District Gurugram. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 04.02.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the complainant had previously given a complaint dated 29.08.2018 wherein the allegations were levelled against Farrukh alone. It was mentioned that at his instance a sum of Rs.1000/- per person for a period of 15 months was taken by him with the promise that after the said period some costly gift will be given. There is no allegation regarding cheating and a prayer was made that the amount handed over to Farrukh be got returned. It is contented that subsequently another complaint was moved on 09.01.2019, whereupon the FIR has been

registered and the names of petitioners No.2 to 4 have been introduced. The FIR is containing the different version than the first complaint.

Notice of motion for 13.03.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Rajesh Kumar does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Rajesh Kumar further states that the petitioners are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 04.02.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

22.05.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No