

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

.....

CRM-M-9120 of 2019

Date of Decision: 20.03.2019

Harinder Malik and another

.. Petitioners

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

.....

Present: Mr. Bhupender S. Ghangas, Advocate for the petitioners.

Mr. Navdeep Singh, AAG, Haryana for the respondent-State.

Mr. Pankaj Bali, Advocate for the complainant.

...

Inderjit Singh, J.

Petitioner Harinder Singh Malik and Sanjay Singh have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.65 dated 24.1.2019 registered at Police Station Gharaunda, District Karnal for the offence under Section 379-B IPC.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The FIR in the present case has been registered on the basis of complaint filed by one Rajesh, who stated that he is working as a Conductor. On 23.1.2019, he was standing at the bus stand. At that time, he asked the driver of bus of the Haryana Co-operative Transport Committee to leave the stop on time. On that, Sachin alias China and Kali

started beating him and they put him in their bus. It is also in the FIR that they searched him and took out his phone and purse and ₹5400/- cash etc. were also taken by them.

In pursuance of the interim order dated 28.2.2019, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 28.2.2019 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

20.03.2019

hsp

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	Yes
	Whether reportable	No