

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-8546 of 2019

Date of Decision: 22.10.2019

Boota and another

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Choudhary, Advocate
for the petitioners.

Mr. Munish Sharma, AAG Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.39 dated 05.02.2019 registered for offences punishable under Sections 147, 148, 149, 323, 324, 332, 353, 427 and 506 of Indian Penal Code; 3 and 4 of Prevention of Damage to Public Property Act, at Police Station City Fatehabad, District Fatehabad.

Heard.

Learned counsel for petitioners seeks permission to withdraw the instant petition *qua* petitioner no. 1.

Ordered accordingly.

Learned State counsel on instructions from SI Juglal submits that petitioner no. 2 has joined the investigation and his custodial interrogation is no more required for the purpose of further investigation of the case.

In view of submission of learned State counsel but without

expressing any opinion on the merits of the case, this petition is partly allowed and order dated 26.02.2019 is made absolute *qua* petitioner no. 2, till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

October 22, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No