

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

206

CRM-M-23334-2018 (O & M)
Date of Decision:11.02.2019

Sandeep and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Abhishek Sindhvani, Advocate
for the petitioners.

Mr. Anmol Malik, AAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.198 dated 06.04.2018, under Sections 148, 149, 323, 325, 506 and 120-B IPC registered at Police Station City Jind.

On 29.05.2018, this Court had passed the following order:-

“It is the contention of the learned counsel for the petitioners that the petitioners are not named in the FIR, however, he states that the coaccused of the petitioners, namely, Bhupinder @ Babbal had disclosed the names of the petitioners. He contends that the allegation against the petitioners is that they were armed with dandas and have gone to the shop of the complainant. Counsel contends that the petitioners are ready and willing to join investigation and co-operate with the same and get the weapons of offence recovered.

Notice of motion, for 31.08.2018.

In the meanwhile, in the event of the arrest of the petitioners, they shall be released on bail to the satisfaction of the Arresting Officer, subject to the conditions contained in Section 438 (2) Cr. P.C. They will join the investigation as and when required. ”

Learned counsel for the petitioner contends that in pursuance of the order dated 29.05.2018, the petitioners No.1 and 3 have joined the investigation. However, petitioner No.2-Rakesh is not in touch with him and, therefore, he has no instructions regarding him.

Learned State counsel on instructions from HC Rajesh has apprised the Court that petitioners No.1 and 3 have joined the investigation and no more required for custodial interrogation. However, petitioner No.2 namely Rakesh has not joined the investigation ever since the concession of anticipatory bail extended to him i.e. with effect from 29.05.2018.

In view of the above order dated 29.05.2018 is made absolute qua petitioners No.1 and 3. However, in respect of petitioner No.2 his bail petition is dismissed.

11.02.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No