

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

210-2 cases

CRM-M-14513-2019 (O & M)
Date of Decision:17.05.2019

Om Parkash and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.98 dated 16.02.2019 under Sections 148/149/323/325/452/506 IPC, registered at Police Station Tauru, District Nuh. The petitioners apprehended their arrest at the hands of Police.

This Court vide order dated 29.03.2019 while issuing notice of motion to the respondent-State has extended the interim protection to the petitioner. The said order reads as under:-

“Learned counsel for the petitioners contends that except for Sections 325 and 452 IPC in FIR No.98 dated 16.02.2019 under Sections 148, 149, 323, 325, 452, 506 IPC registered at Police Station Tauru, District Nuh against the petitioners, rest of the offences are bailable. However Section 325 IPC was added later on. It is pointed out that the FIR was registered as a counter blast to the case got registered by petitioner No.2 through FIR No.0097 dated 16.02.2019.

Notice of motion for 17.05.2019.

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 State counsel on instructions from ASI Mohan Singh states that the petitioners have joined the investigation. He 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 29.03.2019 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.

17.05.2019
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(MANOJ BAJAJ)
JUDGE

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