

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

204

**C.R.M-M No.2944 of 2018
Date of Decision : 22.01.2019**

Ajay Kumar and another Petitioners

Versus

State of Haryana Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : None for the petitioners.

Mr. Himmat Singh, D.A.G., Haryana.

AJAY TEWARI, J. (ORAL)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.144 dated 05.09.2017 registered under Sections 21.4(1) of Mines and Minerals Act at Police Station Khizrabad, District Yamunanagar at Jagadhri.

On 24.01.2018 the following order was passed:-

“Notice of motion for 13.3.2018.

In the meanwhile, the petitioners are directed to surrender before the police and join investigation within a week. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their furnishing bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which they shall loose the benefit of interim bail allowed to them.”

Learned Deputy Advocate General on instructions from ASI Rajiv Singh has stated that the petitioners have joined the investigation and they are no more required for custodial interrogation.

In the circumstances, keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners.

Petition is allowed. Interim order dated 24.01.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 22, 2019
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No