

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

210-2 cases

CRM-M-16659-2019 (O & M)
Date of Decision:17.05.2019

Rahul @ Abhinish 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 148/149/323/324/452/506 IPC, registered at Police Station Tauru, District Nuh. The petitioners apprehended their arrest at the hands of Police.

This Court vide order dated 11.04.2019 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 earlier FIR No.97 dated 15.2.2019, under Sections 148, 149, 323, 325, 452 and 506 IPC, Police Station Tauru, District Nuh already stands recorded on the statement of Sanjay, and in the said occurrence, the petitioners had suffered injuries. According to him, the version recorded through FIR No.98 dated 16.2.2019, under Sections 148, 149, 323, 325, 452 and 506 IPC, registered at Police Station Tauru, District Nuh is a counter blast to the said FIR No.97 dated 15.2.2019. According to him the

offences are bailable except the offence punishable under Section 452 and 325 (added later on) IPC.

Notice of motion for 17.5.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of 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 11.04.2019 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