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

CRM-M-46748 of 2018 (O&M)

Date of decision: October 01, 2019

Satender Kumar Sharma and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Bhupinder Ghai, Advocate for the petitioners.

Mr. Arun Beniwal, DAG Haryana.

Mr. Gaurav Gupta, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioners, in FIR No.658 dated 15.09.2018, under Sections 406, 420, 467, 468, 471, 506, 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Saran, District Faridabad.

Learned counsel for the petitioner wishes to withdraw the petition for grant of anticipatory bail qua petitioner No.2-Raj Kumar Sharma.

Dismissed as withdrawn qua petitioner No.2.

On 11.02.2019, this Court has passed the following order:-

“Additional affidavit dated 10.02.2019 of Sh. Radhey Shyam, HPS, ACP, Mujesar, Faridabad on behalf of respondent No.1 has been filed. The same is taken on record. Copy supplied to the opposite side.

Perusal of the affidavit reveals that there is no other criminal case pending against the petitioners rather it is petitioner No.2, who has got registered an FIR No.42 dated

08.04.2018, under Section 420, IPC at Police Station Parliament Street, New Delhi against Bhushan Sharma, who is an accused in the present FIR also.

Adjourned to 19.03.2019 for further consideration.

In the meanwhile, the petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail in the present case till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Rajesh, has stated that in terms of order dated 11.02.2019, petitioner No.1 has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 11.02.2019 granting interim bail to petitioner No.1, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that petitioner No.1 shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

October 01, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No