

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

267

**CRM-M-52306 of 2018 (O&M)
Date of decision: 04.02.2019**

AARIF AND ANOTHER

...PETITIONERS

VS.

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Khalid, Advocate
for Mr. Mohd. Arshad, Advocate
for the petitioners.

Mr. Nishchal Mann, DAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 310 dated 12.09.2018 registered under Section 13 (1), 13(3) The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and 506 IPC 1860 at Police Station Ferozepur Jhirka, District Nuh Mewat.

On 03.12.2018, this Court had passed the following order:-

"Learned counsel for the petitioners contends that concession of pre-arrest bail was extended to the petitioners on 15.10.2018, however, they could not join investigation for the reason that they were away from the town being drivers. The application was dismissed by the Sessions Court on 23.10.2018.

Notice of motion for 04.02.2019.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C."

Learned counsel for the petitioners contends that in pursuance of the order dated 03.12.2018, the petitioners have joined the investigation.

Learned State counsel on instructions from ASI Abdul Gaffar submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, the interim bail granted by this Court vide order dated 03.12.2018, is made absolute.

The petition stands allowed.

February 04, 2019
Poonam Sharma

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No