

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

**CRM-M No.53640 of 2018 (O&M)
Date of Decision: 29.01.2019**

Rajbala and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Manoj K. Sharma, Advocate for the petitioners.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioners in case FIR No.228 dated 06.08.2018, under Sections 419 and 420 of the Indian Penal Code, registered at Police Station Uchana, District Jind.

This Court, while issuing notice of motion on 04.12.2018, passed the following order:-

“ Learned Counsel for the petitioners contends that dispute is within the family and moreover, civil suit filed against petitioner No.1- Rajbala and Krishan Kumar (husband of the complainant) already stands dismissed by learned Additional Civil Judge (Sr. Divn.), Narwana, vide judgment and decree dated 31.10.2017 and an appeal is pending before the Court of learned Additional District Judge, Jind for 25.01.2019.

Notice of motion for 29.01.2019.

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 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. ”

Today, learned Counsel for the petitioners submits that the petitioners have joined the investigation in terms of order dated 04.12.2018 and their custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Ramphal.

In view of above, interim order dated 04.12.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

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

January 29, 2019

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>