

**PUNJAB AND HARYANA HIGH COURT  
CHANDIGARH**

**206**

**CRM-M-25630-2019**

**Date of decision : 07.11.2019**

Dilbagh and another

Petitioners.....

V/s

State of Haryana

Respondent.....

**CORAM : HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. Avtar Singh Sandhu, Advocate for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

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**ARUN KUMAR TYAGI, J. (Oral)**

Prayer in the petition is for grant of anticipatory bail to the petitioners in case FIR No.64 dated 22.04.2019 registered under Sections 148, 149, 323 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station BPTP Faridabad to which Section 325 of the IPC was added lateron.

While issuing notice of motion, the petitioners were granted interim bail vide order dated 31.05.2019 by this Court with direction to join the investigation.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

I have heard learned Counsel for the petitioners as well as learned State Counsel and have gone through the record.

Learned Counsel for the petitioners has submitted that the petitioners were falsely implicated in the present case. The petitioners joined the investigation and their custodial interrogation is not required.

Learned State Counsel, on instructions from SI Phool Singh, has acknowledged that in compliance with order dated 31.05.2019 passed by this Court, the petitioners joined investigation and submitted that their custodial interrogation is not required for effecting any further recovery.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioners are not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioners deserve the concession of anticipatory bail. Therefore, the petition is allowed and order dated 31.05.2019 granting interim bail to the petitioners is made absolute. However, the petitioners shall join the investigation again if and as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C.

(ARUN KUMAR TYAGI)  
JUDGE

07.11.2019  
Kothiyal

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |