

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

CRM-M No. 27608-2019

Date of Decision:-13.11.2019

KULDEEP AND ANR

.....Petitioners

V/S

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Vipin Kumar, Advocate
for the petitioners.

Mr. Vivek Saini, DAG Haryana.

ARUN KUMAR TYAGI, J. (ORAL)

Prayer in the petition is for grant of anticipatory bail to the petitioners in case FIR No.85 dated 07.06.2019 registered under Sections 147,149,323,427,506 and 452 of Indian Penal Code, 1860 at Police Station Garhi, District Jind to which Section 452 IPC has been added lateron.

While issuing notice of motion, the petitioners were granted interim bail vide order dated 03.07.2019 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. Nothing is to be recovered from the petitioners

and their custodial interrogation is not required.

Learned State Counsel has on instructions from Sh. Rajesh Kumar, ASI present in the court, acknowledged that in compliance with the order dated 03.07.2019 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 is 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 03.07.2019 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.

13.11.2019

Rajeev (rvs)

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No