

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

CRM-M-35219 of 2019
Date of Decision: 22.10.2019

Surender and another		Petitioners
	Versus	
State of Haryana		...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ramesh Hooda, Advocate
for the petitioners.

Mr. Arun Beniwal, DAG, Haryana.

Mr. D.S. Matya, Advocate
for the complainant.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.303 dated 02.08.2019, under
Sections 306 and 34 of Indian Penal Code registered at Police Station
Badshahpur, District Gurugram.

On 28.08.2019 while issuing notice of motion the
following order was passed by this Court:

“Contends that both the petitioners are residing in
Village Dhanana, District Bhiwani, whereas the alleged
occurrence had taken place in Gurugram, thus, by no
stretch of imagination it could be construed that
petitioners have abetted the commission of suicide by the
deceased.

Notice of motion for 22.10.2019.

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.”

It is contended by learned counsel for the petitioners that in terms of the above order, petitioners have already joined investigation.

Learned State counsel on instructions from ASI Sanjay Kumar has acknowledged the above factual position and stated that the custodial interrogation of the petitioners is no longer required in the present case.

In view of the above, order dated 28.08.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

October 22, 2019

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no