

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

Sr. No.224

CRM-M-35898-2019

DECIDED ON: October 01, 2019

SHARIF AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. J.S. Hooda, Advocate for
Mr. Saleem Ahmed, Advocate,
for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No. 89 dated 08.03.2014, under Sections 379, 188 and 120-B of the Indian Penal Code, 1860, besides, Section 3 of the Explosive Substances Act, 1908, registered at Police Station Tauru, District Nuh.

Learned counsel for the petitioners contends that the story put up by the prosecution in the FIR appears to be improbable wherein it is alleged that when the officials went to check the spot where illegal mining and theft of stone was taking place, the petitioners along with other co-accused ran away. He also contends that co-accused Naseem has been acquitted at the conclusion of the trial. He also contends that earlier the petitioners were never summoned to face trial and were under the

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impression that they were not required in the case. He further contends that the petitioners are not involved in any other case.

This Court, by the order dated 30.08.2019, had directed the petitioners to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Abid Hussain, states that the petitioners have joined investigation and are not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioners and keeping in view the fact that the petitioners have joined investigation, the order dated 30.08.2019 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

October 01, 2019
Ankur

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No