

**209-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-39506-2019

Date of decision-17.12.2019

Kuldeep and another

...Petitioners

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parmod Parmar, Advocate for the petitioners.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.165 dated 17.04.2019 under Sections 147, 149, 323 and 506 of Indian Penal Code, 1860 and Section 3 (2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Tosham, District Bhiwani. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 17.09.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners relies upon Annexure P-3 order dated 28.8.2019 passed by this Court in CRM-M-35233-2019.

Notice of motion for 17.12.2019.

To be heard along with CRM-M-35233-2019.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Suresh Kumar does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Suresh Kumar further states that the petitioner are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 17.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.12.2019

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No