

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.38454 of 2020
Date of Decision: February 17, 2021

Azad & another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Bansal, Advocate,
for the petitioners.

Mr. Sukhdeep Parmar, 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.136 dated 01.11.2020, under Sections 120-B, 363, 380, 452 and 506 IPC, 1860, registered at Police Station, Bapoli, District Panipat. 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 23.11.2020, 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 contends that as per the allegations, daughter of the complainant has eloped away with the son of the petitioners. The petitioners have been falsely implicated in this case. It is pointed out that as per FIR itself, the boy and the girl were known to each other being neighbours and therefore, the custodial interrogation of the petitioners may not be necessary.

Notice of motion for 17.02.2021.

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 SI Krishan Kumar, does not dispute this fact that the petitioners have joined the investigation. Learned counsel, on instructions, further states that the petitioners are not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 23.11.2020 is made absolute.

February 17, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No