

Hukma and others ...Petitioners

Versus

State of HaryanaRespondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Rakesh Gupta, Advocate for the petitioner.
Mr. Gurbir Dhillon, AAG, Haryana.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioners in case FIR No.0218 dated 30.07.2019, registered under Sections 380, 411, 457 IPC, at Police Station Cheeka, District Kaithal.

[3] On 08.01.2021, the following order was passed:-

“ Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioners while inter-alia contending that the allegations as set out in the FIR are patently false and the petitioners have been named in the FIR on the basis of a disclosure statement made by accused Dharambir @ Teena @ Rahul, who is the son of petitioner Nos. 1 and 2 and the brother of petitioner No. 3 that he committed a theft and distributed the stolen articles amongst the petitioners herein. Learned counsel further submits that the petitioners are ready and willing to join the investigation.

Notice of motion.

Mr. Karan Garg, AAG, Haryana appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

Adjourned to 28.06.2021.

Meanwhile, petitioners are directed to join the investigation within a period of one week and on doing so, the petitioners be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C. ”

[4] Today, learned counsel for the petitioners contends while learned State counsel on instructions from *HC Shiv Kumar* confirms that pursuant to the order of this Court dated 08.01.2021, the petitioners joined investigation, fully cooperated with the police, were released on ad interim pre arrest bail and that their custodial interrogation is not required.

[5] In view of the statement of learned State counsel, order dated 08.01.2021, passed by this Court, is made absolute. The petitioners shall also abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

[6] Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

07.10.2021

'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>