

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

CRM-M-6377-2022

Date of Decision: 24.05.2022

Parveen @ Parveen Akhter @ Gudi and Anr.

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Siddharth Gulati, Advocate
for the petitioners.

Mr. Zorawar Singh Chauhan, DAG Haryana.

VIVEK PURI J.

On 15.02.2022, following order was passed:

"Petitioners are seeking anticipatory bail under Section 438 Cr.P.C in the case bearing FIR No. 788 dated 16.10.2020, under Section 323/406/498- A/506 IPC, 1860, registered at Police Station Ambala City, District Ambala.

Learned counsel for the petitioners contends that the petitioners are the father-in-law and mother-in-law of the complainant. At the earlier instance, they were granted interim bail by the Court of learned Additional Sessions Judge, Ambala in terms of order dated 19.08.2021. The petitioners could not join the investigation on account of head injury suffered by their younger son in a road side accident and another opportunity was granted to them to join the investigation. Subsequently, they could not join the investigation on account of death of the nephew of the petitioners. Thereafter, the matter was taken up by the Court of learned Additional Sessions Judge, Ambala on 08.10.2021. The bail application has been dismissed on the score that none had appeared on behalf of the petitioners and furthermore, by considering the aspect that the petitioners had not joined the investigation despite several opportunities.

It has been stated that the counsel could not appear

in the Court below as he was suffering from dengue and furthermore, the petitioners could not join the investigation on account of the health issue of their younger son and bereavement in the family.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG, Haryana accepts notice on behalf of the respondent-State.

Adjourned to 10.05.2022.

Meanwhile, it is directed that in the event of arrest, the petitioners be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C."

Learned counsel for the petitioners contend that in pursuance of the interim directions, the petitioners have joined the investigation and no article or *ishtridhan* is in their custody.

The learned State Counsel on the instructions of SI Jagroop Singh submits that petitioners have joined the investigation and custodial interrogation of the petitioners is not required.

The petitioners have joined the investigation and their custodial interrogation is not required. As such sufficient circumstances are made out to extend the concession of pre-arrest bail to the petitioners.

Accordingly, order dated 15.02.2022, vide which the petitioners have been granted interim bail, is made absolute.

Petition is allowed.

24.05.2022
Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No