

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

(Sr. No. 208)

**CRM-M No.51534 of 2021
Date of decision : 04.04.2022**

Hasan Mohd. and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : None for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 220 dated 04.12.2020 registered under Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Bichhore, district Nuh.

On 10.12.2021 this Court had passed the following order : -

“The petitioners had earlier approached this Court for the grant of anticipatory bail but that petition was not pressed on their behalf on the ground that at that time they had been assured by the police that after investigation they had been found innocent. However, the petitioners have now come to know that such assurance was incorrect and that they are being sought to be prosecuted for the offences which are the subject matter of the FIR in question.

Learned counsel for the petitioners submits that through order of this Court dated 06.09.2021 passed in CRM-M-4968-2021 – Aajad and others vs. State of Haryana co-accused Aajad and Mustakim, who are

similarly placed as the petitioners have been granted anticipatory bail.

Notice of motion.

Mr. Rahul Mohan, DAG, Haryana, accepts notice on behalf of the respondent-State and prays for time to argue the matter.

Adjourned to 04.04.2022.

In the meanwhile subject to the petitioners' joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of their arrest in FIR No.220 dated 04.12.2020, registered under Section 13 (2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Bichhore, District Nuh, they shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioners have joined and cooperated with the investigation and that their custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioners in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 10.12.2021 granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

04.04.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No