

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

Sr. No.203 (1)

CRM-M No. 38167 of 2022

Date of decision : 28.02.2023

Santosh and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Dinesh Arora, Advocate for the petitioners.

Mr. Rajiv Sidhu, 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. 07 dated 05.01.2022 registered under Sections 148, 149, 323, 506 IPC and Sections 25, 27 of the Arms Act (Section 324, 325 and 326 IPC added later on) at Police Station Badli, District Jhajjar.

On 26.08.2022, this Court had passed the following order : -

“The learned counsel for the petitioners has submitted that during the course of investigation, Section 307 IPC was deleted and Section 326 IPC was added. He further submitted that the other co-accused have already been granted regular bail by this Court vide Annexures P-3 and P-4 to whom specific role was attributable.

Notice of motion.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana accepts notice on behalf of the State of Haryana and prays for some time to seek instructions.

Adjourned to 28.2.2023.

Meanwhile, the petitioners are directed to join the investigation and on their doing so, the petitioners be released on interim bail subject to their furnishing personal bonds and surety 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 as provided under Section 438(2) Cr.P.C.

A copy of this order be placed on the file of connected case.”

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 as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioners abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 26.08.2022, granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

28.02.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No