



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-26054-2024

Date of decision: 04.09.2024

Jodha Singh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Nidhi, Advocate for
Mr. P.S. Sekhon, Advocate
for the petitioners.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.215 dated 17.08.2023 for the offences under Section 21-B of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 224, 225, 353, 186 of the IPC registered at Police Station Sadar Tohana, District Fatehabad

2. On 22.05.2024, while noticing the following submissions made by the learned counsel for the petitioners, this Court had granted the concession of interim bail to the petitioner and asked them to join investigation:-

“At the outset, learned counsel has drawn the attention of this Court to the FIR, which has been annexed as Annexure P-1, and submitted that a perusal of the same reveals that the only a llegation levelled against the petitioners is of having obstructed the police from performing their duty when they came to the house of the



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co-accused to apprehend him. Learned counsel submits that in fact a hue and cry was raised by their neighbour and it was in this background that they just went to their neighbour's house, without there being any intent to obstruct the police."

3. Learned counsel for the petitioners submits that in compliance of order dated 22.05.2024, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioners are not required for further investigation much less for their custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 22.05.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C. Needless to add, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the same.

04.09.2024

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**(MANJARI NEHRU KAUL)
JUDGE**

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