

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

**CRM-M No.12890 of 2016 (O&M)
Date of Decision : 05.09.2016**

Daler Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. L.M.Gulati, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.480 dated 18.10.2014 registered under Sections 379/420/467/468/471/473/120-B IPC at Police Station Sector 5, Panchkula, District Panchkula.

On 12.04.2016 the following order was passed:-

“Petitioner is alleged to be a member of a gang of Car thieves. He has been involved in the present case on the basis of a recovery effected from his co-accused at Delhi who is being tried after presentation of challan.

An application for pre-arrest bail has been dismissed on the ground that he is involved in other cases of theft.

Notice to Advocate General, Haryana, for July 14, 2016.

Meanwhile, an interim direction is issued that the petitioner will put in appearance before the investigating officer pursuant to the notice under Section 160 Cr.P.C. in the present FIR and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer. It will, however, be open to the investigating agency to present supplementary challan against the petitioner.

Nothing said in this order will effect the rights of the prosecution agency in any other criminal case pending against the petitioner.”

Learned Deputy Advocate General, on instructions from ASI Ramesh Kumar accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 12.04.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

05.09.2016

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No