

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

CRM-M-20957-2016 (O&M)

Date of decision : 20.09.2016

Anuj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjiv Sheoran, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Surender Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.60 dated 13.03.2016, registered under Sections 399 and 402 of the Indian Penal Code and Section 25 of the Arms Act, at P.S. Julana, Distt. Jind.

Heard.

On 13.06.2016, the following order was passed:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.60 dated 13.03.2016, under Sections 399/402 IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Julana, District Jind.

Counsel would contend that even as per prosecution version, secret information had been received by the police officials and in pursuance to which, a raiding party was constituted and Sunil, Sumit, Amit, Ashok, Rinku and Feroz Khan were apprehended and 6 country made pistols along with live cartridges were recovered from them.

It is argued that the present petitioner was neither

apprehended on the spot nor was any recovery, as such, made from him. Counsel would argue that petitioner is sought to be implicated on the disclosure statement of co-accused.

Notice of motion, returnable for 20.09.2016.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 13.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

20.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No