

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

CRM-M No. 20457 of 2015(O&M)

Date of Decision : 18.01.2016.

BhopalPetitioner

Vs.

State of HaryanaRespondent

2. CRM-M No. 20458 of 2015 (O&M)

Surender @ MangalPetitioner

Vs.

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Ravinder Hooda, Advocate for the petitioner(s).

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA.J.

This order shall dispose of CRM No.M-20457 of 2015 titled as Bhopal Vs. State of Haryana and CRM No.M-20458 of 2015 titled as Surender @ Mangal Vs. State of Haryana as prayer made in both these petitions is for grant of anticipatory bail in case F.I.R. No. 131 dated 27.03.2015, under Sections 32, 33, 41, 42, 69 of Indian Forest Act, 1927 and Sections 379, 411, 420, 467, 468, 471, 120-B Indian Penal Code registered at Police Station-City Rohtak, District-Rohtak.

The allegations as per F.I.R. are in relation to smuggling of sandalwood.

As per prosecution version, one Mohan son of Kartar Singh was apprehended on the spot and Manjit Singh, who was stated to be in possession of certain papers in relation to goods/sandalwood on the

vehicle in question had flood away from the spot.

Names of the petitioners in both these connected petitions did not even figure in the F.I.R. There are no allegations pertaining to theft or snatching.

It has gone uncontroverted that Mohan son of Kartar Singh who was apprehended on the spot has since been granted benefit of regular bail. Even Manjit Singh has been granted the concession of anticipatory bail in terms of order dated 14.07.2015 passed in CRM No.M-12930 of 2015.

The prayer made in both these connected petitions was vehemently opposed by learned State Counsel by stating that even though they have joined investigation but recovery of a gun as also an Alto Car is yet to be effected.

In the considered view of this Court, even such recovery is sought to be effected from the present petitioners only on the basis of a disclosure statement made by co-accused.

Petitioners have concededly joined the investigation. Out of total seven accused in the case, admittedly three co-accused are on regular bail and two have already been granted the concession of pre-arrest bail.

Under such circumstances, both the petitions are allowed. Order dated 29.06.2015 passed in both the petitions are made absolute.

Disposed of.

January 18, 2016.
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE