

**Sr. No. 211
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-43460 of 2015
Date of Decision: 22.01.2016**

Joginder Singh

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Tapan Yadav, Advocate,
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.732 dated 09.11.2015, under Section 379 of Indian Penal Code and Section 411 of IPC was added later on, registered at Police Station Sector 10, Gurgaon.

While issuing notice of motion, the following order was passed by this Court on 22.12.2015:

“Petitioner seeks pre-arrest bail in FIR No.732 dated 09.11.2015 under Sections 379/411 IPC registered at Police Station Sector 10, Gurgaon.

Learned counsel for the petitioner, while referring to the allegations levelled in the FIR, submits that neither number of vehicle was disclosed, nor any accused was named in the FIR including the petitioner. However, later on, three persons were arrested and one of them disclosed the name of the petitioner. He further

submits that since the vehicle was already been recovered, nothing is to be recovered from the petitioner. In such a situation, custodial interrogation of the petitioner would not be required.

Notice to the Advocate General, Haryana, for 22.01.2016.

In the meantime, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of arresting/investigating officer, subject to the conditions provided under Section 438(2) Cr.P.C. At the first instance, petitioner shall join the investigation on or before 28.12.2015 and cooperate with the investigation agency. The petitioner is also directed to join the investigation, thereafter, as and when required by the investigation agency, by issuing a notice under Section 160 Cr.P.C.”

Learned counsel upon instructions from ASI Sat Pal Singh would apprise the Court that the petitioner has joined investigation. Even observations contained in the notice of motion order have gone un rebutted.

Present petition is allowed. Order dated 22.12.2015, passed by this Court, is made absolute.

Disposed of.

22.01.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**