

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

CRM-M -8725 of 2016 (O&M)

Date of decision: 04.07.2016

Krishan Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. CM Munjal, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by HC Vijay Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.15, dated 28.01.2016, registered under Sections 379 read with Section 411 IPC, at Police Station Julana, District Jind.

It is contended that the petitioner has been falsely implicated on the basis of disclosure statement of co-accused, Kalyan, who allegedly had sold the vehicle to the petitioner. He further states that the recovery was not effected from the petitioner, rather, it was effected from co-accused Kalyan. In pursuance of the order dated 14.03.2016, the petitioner has joined the investigation.

On the other hand, the learned State counsel, on instructions, submits that though the petitioner has joined the investigation but he is involved in another FIR No.9 dated 31.01.2016 at Police Station Khanori, District Sangrur and being a scrap dealer, he is in business of selling of stolen vehicles.

Considering the fact that the petitioner has joined investigation and no recovery was effected from him, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 14.03.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

04.07.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE