

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-28637-2016

Date of Decision: 13.01.2017

Fateh Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Vir Nanda, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Arvinder Arora, Advocate for the complainant.

INDERJIT SINGH, J. (Oral)

This petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.93, dated 11.06.2016, registered at Police Station City Chhachhrauli, District Yamuna Nagar at Jagadhari, under Sections 406, 420, 467, 468, 471, 473, 506 and 120-B of Indian Penal Code.

Notice of motion has been issued in this case.

Learned State counsel put in appearance on behalf of the respondent-State and Mr. Arvinder Arora, Advoate has appeared on behalf of the complainant and contested this petition.

I have heard learned counsel for the petitioner; learned counsel for the complainant as well as learned State counsel and have gone through the record.

From the record, I find that the present petitioner is not a beneficiary. The only attribution against him is that he helped in selling the truck from Nek Mohammad to some unknown person. Neither the petitioner is stated to be owner of the truck nor in possession of the same.

In pursuance of the interim order dated 19.08.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from the present petitioner. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 19.08.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

13.01.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No