

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

**CRM-M No.5795 of 2017
Date of Decision: 25.04.2017**

Satish

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Bhupinder Malik, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
for the respondent-State.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in FIR No.131, dated 01.02.2017, registered under Sections 418, 420, 468, 181, 200 and 471 IPC, at Police Station City Panipat.

Vide order of this Court dated 21.02.2017, while issuing notice of motion, this Court had ordered that in the event of arrest of the petitioner, he shall be released on ad-interim anticipatory bail, to the satisfaction of the Arresting officer subject to the conditions prescribed under Section 438(2) Cr.P.C.

The case of the prosecution is that the petitioner as surety for one Ravi Shankar, who was the accused in FIR No.811 dated 24.06.2016, registered under Section 25 of the Arms Act, at Police Station City, Panipat, had given Registration Certificate of his car which had already been sold.

Seeking anticipatory bail for the petitioner, learned counsel submits that in fact the petitioner had given three Registration Certificates of different vehicles to the clerk of the Advocate of the main accused which

inadvertently also included the RC of the car, which had already stood sold; the action on his part was bona fide; custodial interrogation of the petitioner is not required; no recovery is to be effected from him and that he has already join investigation under the interim order of this Court.

Learned State counsel on instructions from ASI Satish Kumar, admits that under the interim orders of this Court, the petitioner has joined investigation; has fully cooperated with the investigating agency and that, at this stage, is no longer required for further questioning.

Whether the action of the petitioner was bona fide is debatable; no recovery is to be effected from him; there is no other criminal case pending against him; he has already join investigation and as per the statement of learned State counsel, he is no longer required for further questioning.

After considering the above submissions, the present petition is allowed and the interim order dated 21.02.2017 granting ad-interim bail anticipatory to the petitioner is made absolute, subject to the conditions prescribed under Section 438 (2) Cr.P.C.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

If the petitioner are found indulging in any other criminal activity/misusing the concession of bail granted to him, it will be open to the State to move an appropriate application before the Competent Court/this Court for cancellation of the granted bail to the petitioner through this order.

April 25, 2017
rittu

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No