

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

Sr. No.203

CRM-M No.8992 of 2017
Date of decision: 23.05.2017

Randheer Singh

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks the concession of anticipatory bail in FIR No.252 dated 06.09.2016, registered under Section 379-B IPC, at Police Station Tauru, District Mewat.

On 20.03.2017, while issuing notice of motion, this Court had granted ad-interim anticipatory bail to the petitioner subject to the satisfaction of the Arresting officer.

The case of the prosecution is that the complainant is the employee of one Sushil Kumar, who is having business relations with the petitioner. On 04.09.2016, after the complainant got his employer-Sushil's car fueled, he was stopped by the petitioner, who asked him to also get his vehicle fueled which he refused on the ground that he had no instructions from his employer Sushil Kumar. On this, the petitioner man-handled him and snatched the keys of the car which was being driven by the complainant. Some petrol slips were also stolen which were used by the petitioner to get his car fueled.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in this case at the

behest of Sushil Kumar with whom the petitioner had business relations which went sour; there is unexplained delay of 02 days in lodging of the FIR; there is no other criminal case in which the petitioner is involved and that under the interim orders of this Court, the petitioner has not only joined investigation, he has fully cooperated with the investigating agency.

Learned State counsel, on instructions from SI Sube Singh admits that the petitioner has joined investigation; has fully cooperated with the investigating agency; there is no other criminal case in which the petitioner is involved and that the petitioner is no longer required for any further questioning.

Whether the petitioner has been falsely implicated at the behest of Sushil Kumar would be only deciphered during the course of trial; the petitioner has no other criminal case pending against him; there is unexplained delay of 02 days in lodging of the FIR; he has not only joined investigation, he has fully cooperated with the Investigating Agency and that as per the learned State counsel he is no longer required for any further questioning.

In view of the above, I am of the opinion that no custodial interrogation of the petitioner is warranted.

Resultantly, the present petition is allowed and the order dated 20.03.2017 granting ad-interim anticipatory bail to the petitioner is made absolute subject to the condition 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 during the period that the bail is granted to the petitioner, he is found indulging in any other criminal activity/misusing the concession of bail, 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.

(DEEPAK SIBAL)
JUDGE

May 23, 2017
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