

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

**CRM-M-22512-2018**

**Date of Decision: 18.07.2018**

Gyanender

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI**

Present : Mr. J.S. Hooda, Advocate  
for the petitioner.

Mr. Manish Dadwal, A.A.G. Haryana.

**P.B. BAJANTHRI J. (Oral)**

In the instant petition, petitioner has sought for anticipatory bail under the provision of Section 438 Cr.P.C in case FIR No.352 dated 13.11.2016 registered under Sections 379, 365 IPC and 25,54,59 of Arms Act at Police Station Chandhut, District Palwal.

2. As per the allegation, petitioner is involved in abduction of Complainant's son.

3. Learned counsel for the petitioner submitted that no role has been attributed to what extent petitioner has committed any offence except that he was residing in the village Rahimpur District Palwal. Therefore, he is entitled to anticipatory bail.

4. However, learned State counsel on instructions from ASI Badam Singh, P.S. Chandhaut, District Palwal, opposed the prayer for anticipatory bail stating that his name is reflected in FIR. Only one Ashok was arrested among the five accused for the purpose of interrogation relating to abduction as well as theft of vehicle. Therefore, custodial interrogation is required.

5. Heard learned counsel for the parties.

6. Perusal of FIR, it is evident that allegations levelled against the

petitioner could be verified without custodial interrogation.

7. Having regard to the above facts and circumstances of the case, petitioner is entitled to anticipatory bail.

8. Accordingly, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on pre-arrest anticipatory bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction subject to the conditions as envisaged under Section 438(2) Cr.P.C.

9. Petition stands allowed.

18.07.2018  
rajeev

**(P.B. Bajanthri)**  
**Judge**

**Whether speaking/reasoned**                      **Yes/No**

**Whether reportable**                              **Yes/No**