

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-25577-2018

Date of Decision: 23.08.2018

Arun

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Namit Khurana, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Inderjit Singh, J.

Petitioner Arun has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.214 dated 03.12.2017, registered at Police Station Khizrabad, District Yamuna Nagar, under Sections 186, 353 and 379 of Indian Penal Code and Section 21(4)(1) of the Mines Act.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

As per the allegation, two JCB machines were forcibly taken away by the accused including the present petitioner.

In pursuance of the interim order dated 11.06.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him.

No useful purpose would 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 11.06.2018, 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.

23.08.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No