

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-42231-2018 (O&M)
Date of Decision:-10.10.2018.

Jishan

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Saleem Ahmed, Advocate for petitioner.

Mr. Munish Sharma, AAG, Haryana.

P.B. BAJANTHRI, J. (Oral)

In this petition, petitioner is seeking anticipatory bail under the provisions of Section 438 Cr.P.C. in FIR No.299 dated 17.05.2018 under Section 379-A IPC, registered at Police Station Samalkha, District Sonipat.

2.) Learned counsel for the petitioner submitted that one Sandeep who has disclosed petitioner's name with reference to Case No.1138 dated 07.12.2017 under Section 379 IPC, Police Station Panipat to the extent that petitioner is involved in the alleged offence in FIR No.299 dated 17.05.2018. Having regard to the fact that petitioner's name has been cropped up with reference to disclosure statement, petitioner is entitled to the benefit of anticipatory bail.

3.) On the other hand, learned State counsel, on instructions from ASI Dilbag Singh has not disputed the above factual aspects. Nor, he is

able to apprise this Court with regard to necessity of petitioner's custodial interrogation.

4.) In view of these facts and circumstances, petitioner is entitled to the benefit of anticipatory bail. Therefore, without expressing any opinion on the merits of case, petitioner is granted benefit of anticipatory bail. Petitioner is directed to appear before the Investigating Officer and join the investigation. In the event of his appearance, Investigating Officer is directed to release the petitioner on anticipatory bail subject to his furnishing bail bonds to his entire satisfaction. Petitioner shall remain bound by the conditions as envisaged in Section 438 (2) of Cr.P.C.

5.) The petitioner shall not in any way indulge in any criminal activities and he shall not influence the witnesses or otherwise interfere with the fair trial.

6.) Petitioner is hereby directed to join the investigation as and when Investigating Officer calls for his presence to interrogate him.

7.) Petition stands allowed.

(P.B. BAJANTHRI)
JUDGE

October 10, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.