

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-47122 of 2018

.....

Date of decision:28.11.2018

Praveen Chaudhary

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Rohit Chaudhary, Advocate for the petitioner.

Mr. Pardeep Sharma, Assistant Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.694 dated 23.11.2017 registered for the offence under Section 380 IPC at Police Station S.G.M. Nagar, District Faridabad.

Notice of motion has been issued in this case.

Mr. Pardeep Sharma, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned State counsel appearing for the respondent-State and have gone through the record.

As per the FIR, Prithvi Singh co-accused entered into the house of the complainant and stolen gold ornaments. The only allegation against

the present petitioner is that he helped main accused in selling six items out of the jewellery and after selling the same had given ₹14,000/- to Prithvi Singh and remaining ₹19,000/- were kept by him.

Learned counsel for the petitioner states that the petitioner had gone to the Investigating Officer, but he was not intentionally joined in the investigation by the Investigating Officer.

Keeping in view the facts and circumstances of the present case, I find that the petitioner is not required for custodial interrogation. Main allegations are not against him. No useful purpose will be served by sending the petitioner to custody.

In the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find it a fit case where the petitioner is entitled for the grant of anticipatory bail. Hence, I accept this criminal miscellaneous petition and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. 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.

November 28, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No