

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-47192-2017(O&M)

Date of Decision: 19.04.2018

Vikas @ Vicky Walia

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.V. Dhindsa, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.834 dated 31.5.2017 under sections 379, 411, 114 I.P.C and section 26 of the Juvenile Justice (Care and Protection of Children) Act, 2000, registered at Police Station, City Jagadhari, District Yamuna Nagar.

On 22.1.2018, the following order was passed by this Court:-

“During the course of hearing today, it has gone uncontroverted that the present petitioner is sought to be implicated on the strength of statements suffered by co-accused and who were apprehended on the spot.

Learned State counsel has also conceded that none of the alleged stolen articles were recovered from the premises of the petitioner.

List for further consideration on 5.3.2018.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the

Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Pawan Kumar would apprise the Court that the petitioner has since joined investigation. Furthermore, investigation already stands concluded and even the challan stands presented before the competent court.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 22.1.2018, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.04.2018

lucky

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No