

**Sr. No.207
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-9807 of 2018 (O&M)

Date of Decision: 20.04.2018

Vishal

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Manoj Bakshi, Advocate,
for the petitioner.

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

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No. 685 dated 29.12.2017, under Section 4 and 5 of Explosive Substances Act, registered at Police Station Gannaur, Sonapat, Haryana.

While issuing notice of motion, the following order was passed by this Court on 07.03.2018:-

“Petitioner seeks concession of pre arrest bail in case FIR No.685 dated 29.12.2017, under Sections 4 and 5 of Explosive Substances Act, registered at Police Station Gannaur, Sonipat, Haryana.

Counsel submits that FIR came to be registered on the basis of secret information that one Sanjay son of Inder Singh was carrying a hand grenade and would be coming from the side of his village to Gannaur. Based on secret information co-accused Sanjay was apprehended and from his bag the hand grenade was recovered.

The present petitioner is sought to be implicated on the statement of main accused Sanjay and who alleged that he had obtained the hand grenade from Vishal.

Counsel argues that it is a case of false implication. Petitioner is a student and has clean antecedents as he is not involved in any other case.

Notice of motion, returnable for 20.04.2018.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

State counsel upon instructions from ASI Satveer Singh apprises the Court that petitioner has since joined investigation.

It is also not disputed that petitioner is sought to be implicated on the statement of a co-accused, namely, Sanjay.

Petitioner having already joined investigation, custodial interrogation of the petitioner would not be warranted.

Prayer made in the present petition is accepted.

Order dated 07.03.2018, passed by this Court is made absolute.

Disposed of.

20.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No