

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.232

**CRM-M-38702-2018
Date of decision : 29.11.2019**

Karamvir

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. GBS Dhillon, Advocate, for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.304 dated 11.8.2017, registered at Police Station Tauru, District Nuh, under Sections 302, 148, 149 and 120-B IPC.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. When the FIR was registered, his name did not find mention therein and it was only at a later stage that after recording the supplementary statement of the complainant, the petitioner was nominated as an accused. After interim protection was granted by this Court vide order dated 6.9.2018, the petitioner has joined investigation and is cooperating therewith. There was no complaint of any kind against his conduct and thus, the interim protection granted to the petitioner may be confirmed.

Learned State counsel opposes the prayer by submitting that the petitioner has suffered a disclosure statement, wherein, he has admitted his participation in the murderous assault. The disclosure statement as well as questions/answers recorded by the Investigating Officer are annexed as Annexures R1 and R2 with the status report. Since, there is an admission made by the petitioner, he does not deserve the concession of anticipatory bail.

The disclosure statement/admission made by an accused before the police is not admissible in evidence. Apart from this admission, there is no other evidence available with the police as on date regarding the involvement of the petitioner. The petitioner has joined investigation and is cooperating therewith. Thus, I see no reason to discontinue the interim bail granted to the petitioner.

Accordingly, the petition is allowed and the interim bail granted to the petitioner vide order dated 6.9.2019, is made absolute subject to compliance of condition as mentioned in the said order and conditions enshrined under Section 438(2) of the Code of Criminal Procedure, 1973 by him.

(SUDHIR MITTAL)
JUDGE

29.11.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No