

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

**CRM-M No. 52426 of 2018
Date of Decision:-25.03.2019**

Jay Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Punit Malik, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 421 dated 06.4.2017, under Section 379-B IPC, registered at Police Station Sadar Gurugram, District Gurugram.

On 05.2.2019, this Court had passed the following order :-

“Learned State counsel on instructions from ASI Anil Kumar has apprised the Court that vide order dated 24.01.2019, the petitioner stands declared as a proclaimed offender.

Learned counsel for the petitioner contends that since the petition is already before the Court and vide order dated 28.11.2018 the arrest of the petitioner was

stayed. It is further pointed out that the matter already stands compromised.

Adjourned to 25.03.2019.

Meanwhile, the petitioner shall surrender before the Investigating Officer/Arresting Officer, who shall admit him on interim bail subject to his furnishing bail bonds and surety bonds to the satisfaction of Investigating Officer/Arresting Officer. Further, the petitioner shall join the investigation and would come present as and when called for, by the Investigation Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

As per the allegations, the alleged occurrence took place on 01.4.2017 when two boys came on a scooty near the complainant and started pushing him and took away two mobile phones and cash of Rs.5,000/- alongwith ATM cards.

Learned counsel for the petitioner contends that the FIR was lodged after five days of the alleged occurrence and petitioner has joined the investigation pursuant to the order passed by this Court on 05.2.2019. It is further pointed out that the complainant has compromised the matter with the petitioner, wherein, it is mentioned that the FIR was got registered by him under some misunderstanding.

On the other hand learned State counsel, assisted by ASI Jaswant apprised the Court that indeed the petitioner has joined the investigation, however, nothing about the second person, who was accompanying the petitioner, has been disclosed by him.

It is not in dispute the the mobile was recovered from co-accused Udayveer Dagar, who already stands released on regular bail.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 05.2.2019, is made absolute.

The petition stands allowed.

March 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No