

**PUNJAB AND HARYANA HIGH COURT
CHANDIGARH**

206-A

CRM-M-23995-2019

Date of decision : 30.10.2019

Rahul @ Chitta

Petitioner.....

V/s

State of Haryana

Respondent.....

CORAM : HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

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

Mr. Vivek Saini, D.A.G. Haryana.

ARUN KUMAR TYAGI, J. (Oral)

Prayer in the petition is for grant of anticipatory bail in case FIR No.54 dated 31.01.2019 registered under Sections 148, 149, 186, 353, 307 and 353 of the Indian Penal Code 1860 and under Sections 25, 54 and 59 of the Arms Act, 1959 at Police Station Model Town, Rewari.

Notice of motion was issued vide order dated 24.05.2019 whereby the petitioner was also granted interim bail.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

I have heard learned Counsel for the petitioner as well as learned State Counsel and have gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner was not named in the FIR and was not apprehended on the spot. The petitioner has been falsely implicated on the basis of disclosure statement of the co-accused.

Learned State Counsel, on instructions from S.I. Rohtash Singh, has submitted that in compliance with order dated 24.05.2019,

the petitioner joined investigation on 05.06.2019 and motorcycle used in the commission of offence was recovered from him.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail. Therefore, the petition is allowed and order dated 25.05.2019 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again if and as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C.

(ARUN KUMAR TYAGI)
JUDGE

30.10.2019
Kothiyal

Whether speaking/reasoned	Yes
Whether reportable	No