

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

220

CRM-M-27071-2019

DATE OF DECISION: 12.09.2019

RAVINDER THAKUR

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. S.R. Hooda, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

Mr. P.R. Yadav, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 257 dated 29.04.2019, under Section 381 of the Indian Penal Code, 1860, registered at Police Station DLF, District Gurugram.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of Ajay, who is alleged to have stolen jewellery and other articles from the house of the complainant. In the statement, Ajay has stated that he had sold the jewellery to the petitioner. Learned counsel also contends that the police had raided the jewellery shop of the petitioner twice and nothing incriminating was found therein. The statement of the co-accused who are alleged to have stolen jewellery and other articles from the house of the complainant but the co-accused have stated that they had sold the jewellery to the petitioner. He further contends that the petitioner is not involved in any other case.

This Court, by the order dated 16.07.2019, had directed the petitioner to appear before the Investigating Officer and join the

investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C. The petitioner was once again directed to join investigation by the order dated 16.08.2019.

Learned State counsel, upon instructions from ASI Muni Ram, states that although the petitioner has joined investigation but jewellery is yet to be recovered. He, however, is not in a position to controvert the submissions of the learned counsel for the petitioner that the police had twice raided the shop of the petitioner and nothing incriminating was found there.

Learned counsel for the complainant has, however, contended that the custodial interrogation of the petitioner is necessary as the jewellery which had allegedly been sold to him is to be recovered, therefore, he does not deserve the concession of anticipatory bail.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner has joined investigation, the order dated 16.07.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

12.09.2019

Swarnjit.S

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No