

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10150-2020

DATE OF DECISION: MARCH 13, 2020

KADIR

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. MANOJ PUNDIR, ADVOCATE FOR THE PETITIONER.
MS. TANUSHREE GUPTA,DAG, HARYANA.

MANOJ BAJAJ, J.(ORAL)

CRM-9180-2020

This is an application for incorporating Section 307 IPC in the head note and prayer clause of main petition.

Application is allowed.

CRM-M-10150-2020

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.18 dated 14.2.2019, under Sections 285, 307 IPC and Section 25 of Arms Act, Police Station Buria, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and nothing has to be recovered from him.

Learned State counsel submits the petitioner alongwith other co-accused stole 41 batteries cell from Indus Tower Limited Company and loaded the same in a vehicle and fled away and when the complainant

followed the said vehicle, the accused fired seven shots at him. She further submits that the petitioner is a habitual offender and has been named as accused by none other than, but his co-accused-brothers.

After hearing learned counsel for the parties, this Court is of the opinion that the allegations against the petitioner are serious and considering the background of the case, custodial interrogation of the petitioner may be necessary, as recoveries are yet to be made.

Resultantly, this Court does not find any reason to grant extraordinary concession of pre-arrest to the petitioner.

Petition is dismissed.

March 13, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No