

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

CRM-M-14613-2020 (O&M)

Date of Decision:-10.06.2020

MONU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shalender Mohan, Advocate for the petitioner.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in
Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.212 dated 25.6.2018 under Sections 394 IPC at Police Station Civil Line, District Jind, Haryana.
2. Learned counsel for the petitioner has submitted that the allegations in the FIR are to the effect that three persons had snatched an amount of ₹5,000/-, a mobile and a motorcycle of the complainant after causing injuries to him.
3. Learned counsel for the petitioner has submitted that the FIR in question was lodged in the year 2018 and subsequently after about 1 year, two persons namely Sandeep and Sumar were arrested in FIR No.785 dated 2.12.2019 under Sections 379, 411 of IPC registered at Police Station

City Hansi and whereby they made a disclosure statement to the effect that they had committed offence pertaining to the present FIR along with the present petitioner. Learned counsel for the petitioner has submitted that the only evidence against the petitioner is aforesaid disclosure statement.

4. Notice of motion.
5. On the asking of the Court, Ms. Aditi Girdhar, AAG, Haryana accepts notice on behalf of the respondent-State. Advance copy of petition has already been supplied to her.
6. Learned State counsel has submitted that apart from the disclosure statement the antecedents of the petitioner reflect that he is involved in another case of theft of ₹45 lakhs.
7. I have considered rival submissions addressed before this Court.
8. The petitioner is not named in the FIR and has been nominated as an accused on the basis of disclosure statement made by co-accused after about 1 year of the alleged offence. It will certainly be debatable as to whether the aforesaid disclosure statement would be admissible in evidence against the petitioner or not. Keeping in view the aforesaid facts and circumstances of the case, in my opinion it is a fit case for grant of anticipatory bail to the petitioner.
9. The petition, as such, is accepted and it is ordered that the petitioner in the event of his arrest shall be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of

Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

10. It is however made clear that in case the petitioner does not join investigation, it shall be open to the prosecution to move for cancellation of bail.

(GURVINDER SINGH GILL)
JUDGE

10.06.2020
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No