

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

201

CRM-M-20312-2020

Decided on : 30.09.2020

Aslam Khan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Vishwajeet, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present petition filed under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No.315 dated 27.11.2019 under Section 379 IPC, registered at Police Station Narwana, District Jind.

On 24.07.2020, the following order was passed:-

“Inter alia contends that the petitioner has not been named in the FIR as the vehicle was stolen from outside the house of the complainant and he has been involved on the statement of co-accused, Ajay who has suffered a disclosure statement. The car was also got recovered from a grove of trees and his custodial interrogation is not required. It is, thus, submitted that merely because of large number of cases have been lodged against the petitioner and he has been falsely implicated by the police, the benefit has been denied.

Notice of motion for 30.09.2020.

State Counsel accepts notice.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail by the investigating officer. The

petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C.”

Counsel for the petitioner submits that the petitioner has joined investigation, which fact is vouched by the counsel for the State, on instructions received from ASI Bhim Singh.

Counsel for the State has submitted that the bail has been declined by the Additional Sessions Judge, Jind, on the ground that there were 15 FIRs registered against the petitioner and most of them are of similar nature.

Counsel for the petitioner has submitted that a detailed list of 17 FIRs has been mentioned in the bail petition itself and apart from the first two case of FIR No.317 dated 27.11.2019 and FIR No.26 dated 10.02.2017, he has been acquitted in rest of the cases. It is, thus, submitted that he is entitled for confirmation of the interim order.

It is not disputed that the petitioner has been implicated on the disclosure statement of the co-accused and veracity of which would be subject matter of trial and his custodial interrogation would not be required, in the facts and circumstances.

Accordingly, the interim order dated 24.07.2020 is confirmed and the petition stands disposed off.

SEPTEMBER 30, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No