

In the High Court of Punjab and Haryana at Chandigarh

213 -2

CRM-M-21555-2020 (O & M)

Date of Decision: September 10, 2020

ALI MOHAMMAD

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. M.D.Khan, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.210 dated 18.06.2020, under Sections 406 read with Section 34 of the Indian Penal Code ('IPC' - for short), registered at Police Station Bilaspur, District Gurugram.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that co-accused, namely, Tarif and Samim had stolen 18 bags of cardamom. The petitioner has been arraigned as an accused on the statement of co-accused, namely, Tarif and Samim that they had handed over these bags to the petitioner and other accused. He also contends that the petitioner is not involved in any other criminal case.

This Court, by the order dated 04.08.2020, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered 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.

Learned State counsel, upon instructions from HC Mahipal, states that although the petitioner has joined investigation but recovery is to be effected from him.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 04.08.2020 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.

(ANUPINDER SINGH GREWAL)
JUDGE

September 10, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No