

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

(Heard through VC)

CRM-M-23753 of 2020 (O&M)
Date of Decision: October 29, 2020

Asif alias Bobby

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanchit Punia, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.02 dated 07.01.2020, under Sections 406, 420, 120-B of the Indian Penal Code, registered at Police Station Bilaspur, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

Learned State counsel, on instructions from SI Ishwar Chander, submits that though the petitioner has joined the investigation, however,

JCB machine is yet to be recovered from the petitioner.

On this, learned counsel for the petitioner submits that the petitioner is not in possession of the JCB machine, as there was an agreement between Naseem and the complainant and the said JCB machine has been handed over to Naseem. It is also submitted that the petitioner has given his specimen signatures for verification to the Investigating Officer for comparison with the signatures on the said agreement.

In view of the fact that the petitioner has joined the investigation, at this stage, without commenting on the merits of the case, the petition is allowed and order dated 24.09.2020 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

October 29, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No