

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-28050-2020 (O&M)
Date of Decision:-16.11.2020

Rohit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanjeev Kumar Panwar, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana,
assisted by Sub Inspector Ishwar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.185 dated 3.5.2019 at Police Station City Palwal, District Palwal under Sections 394 and 397 of Indian Penal Code, wherein offence under Section 394 IPC was deleted and offences under Sections 395 and 201 IPC and Section 25 of Arms Act were added later on.
2. The FIR was lodged at the instance of Narender Singh, wherein it is alleged that he is working at a petrol pump and that on 3.5.2019, 3-4 persons came in

an Alto Car and got petrol worth ₹300/- filled up and after getting the petrol filled up, they reversed the car hitting the salesman and snatched an amount of ₹1.62 lakhs from him. It is further alleged that the said accused also caused injuries to other salesmen Surender and Charan and snatched two mobile phones from Surender and one mobile phone from Rajender and also snatched purses of Surender containing ₹1,500/- and also of Rajender containing an amount of ₹1,000/-.

3. The learned counsel for the petitioner has submitted the petitioner has falsely been implicated in the present case and has infact nowhere named in the FIR and is sought to be nominated as an accused on the basis of disclosure statements allegedly made by co-accused Parveen Kumar @ Lala, Rakesh @ Banti, Jai Parkash @ J.P. and Harsh @ Harshu.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner has been named by four other co-accused, no case for grant of bail is made out. The learned State counsel, upon instructions from SI Ishwar, has informed that the petitioner is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner is nominated on the basis of disclosure statements of co-accused, the veracity and admissibility of which would be debatable and also the fact that the petitioner is not stated to be involved in any other case, the petition is accepted and the petitioner, in the event of his arrest, 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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

7. It is, however, clarified that in case the petitioner does not join investigation, it shall be open to the prosecution to move an application for cancellation of his bail.

16.11.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No