

210

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.55759 of 2019

Date of Decision: 26.02.2020

PARNEET SINGH @ PARRY

.....Petitioner

Vs

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. G.S. Salana, Advocate
for the petitioner.

Mr. Surender Singh, A.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail in case bearing DDR No.6 dated 09.08.2019 registered under Section 3 of Railway Property (Unlawful Possession) Act, 1966 and Section 147 of Railway Act, 1989 at Police Station RPF Mandi Dabwali, District Sirsa.

On 03.01.2020, following order was passed by the Co-ordinate Bench of this Court:-

"Inter alia contends that the benefit of anticipatory bail has been denied on 20.12.2019 (Annexure P-5) on the ground that the petitioner did not join investigation. Reference is made to Annexure P-4, the reply filed before the Court, wherein it has been mentioned that the petitioner had been interrogated and had put forward his story that he had been wrongly named by Deepak Kumar. It is further submitted that the petitioner has been arrayed as an accused on the basis of the statement of the

said co-accused and the value of the total stolen property, part of which is allegedly purchased by the petitioner, is around ₹40,000/-.

Notice of motion to the respondents be issued for 26.02.2020.

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.”

Learned counsel for the petitioner submitted that petitioner is the recipient of some property, part of which was purchased by him. He has not received any property from the main accused. Petitioner has been nominated as an accused in the disclosure statement of Deepak Kumar, who had also received the property from Sukhwinder Singh @ Kala and who in turn received the property from the main accused. Petitioner has joined the investigation in compliance of the order dated 03.01.2020.

The case would remain debatable as regards complicity of the petitioner.

In view of above, interim order dated 03.01.2020 is made absolute. Petitioner shall keep on joining the investigation as and when directed to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

February 26, 2020

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No