

CRM-M-8761-2021 (O&M)
Date of Decision: 31.03.2021.

Satbir

...Petitioner

Versus

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Jai Singh Yadav, Advocate for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.316 dated 03.10.2020, registered under Sections 406 and 34 IPC, at Police Station Kasola, District Rewari.

2. Learned counsel contends that as per the FIR, a complaint was made by one SatyavirPunia that Suresh Kumar, owner of M/s Ritik Roadways Transport Company along with his brother Satbir (present petitioner) and broker-Rajesh Kumar, had misappropriated goods sent by him through the aforesaid transport agency on 10.09.2020. Learned counsel contends that the goods which were sent by the complainant were retained by co-accused, Rajesh Kumar, as is evident from Annexure P/2 i.e. legal notice sent by Rajesh Kumar to the petitioner, that said goods had already been recovered, therefore, custodial interrogation of the petitioner was not required.

Singh, confirms that the goods in question have been recovered from co-accused, Rajesh Kumar, besides the truck used in the transportation of the goods has also been recovered and that in the circumstances, custodial interrogation of the petitioner is not required.

4. Accordingly, in the light of the statement of learned DAG, Haryana, the instant petition is disposed of while directing the petitioner to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on pre-arrest bail subject to his furnishing bail bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

5. Petition disposed of with the aforementioned directions.

(B.S. Walia)
Judge

31.03.2021.
'Rajesh'

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No