

CRM-M-15335 of 2021

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-15335 of 2021
Date of decision:04.08.2021

Shameem

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Brijender Kaushik, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.57 dated 20.02.2021 registered under Section 379 of Indian Penal Code, 1860 at Police Station Naraingarh, District Ambala.

On 07.04.2021, following order was passed:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case; there is no evidence against the petitioner except the disclosure statements of co-accused Isran and Noor Mohammad allegedly made by them in police custody which have no evidentiary value; the

petitioner was granted ad interim anticipatory bail by the Trial Court which was not confirmed only for the reason that the case property was not got recovered by the petitioner which could not have been the reason to deny him the anticipatory bail as the petitioner had not committed any offence and that the petitioner is ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Mr.Rupinder Singh Jhand, Additional A.G. Haryana, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 04.08.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.57, dated 20.02.2021, registered under Section 379 IPC at Police Station Naraingarh, District Ambala, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

Learned State counsel, upon instructions from SI Jai Gopal submits that the petitioner has joined investigation and is no longer required for custodial interrogation. Upon further instructions, he submits that the petitioner is involved in another case bearing FIR No.70 dated 27.02.2021 registered for offences under Section 379 of IPC at Police Station

Naraingarh, District Ambala.

To counter the submission of State counsel, counsel for the petitioner submits that the petitioner has been granted anticipatory bail by this Court in CRM-M-15226 of 2021 in the said FIR.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 07.04.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

August 04, 2021
savita

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>