

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

209

CRM-M-21766-2021

Date of Decision:20.09.2021

SANDEEP

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. B.S. Saroha, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

While granting interim protection to the petitioner, a Co-ordinate

Bench of this Court passed the following order on 01.06.2021:-

“This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre- arrest bail in FIR No.81 dated 08.02.2021 under Sections 379 read with Section 34 IPC, registered at Police Station City Rohtak, District Rohtak.

Briefly noticed that FIR was registered on the complaint of Neeraj who stated that on the night of 06.02.2021 he was on his way driving a Tata Car bearing Registration No.HR-12-AE-5842. Complainant himself stated that he was drunk at such point of time. When he reached at a particular point he parked the car and came outside to ease himself. The keys of the car, his mobile and a wallet containing Rs.2500/- were inside the car. Complainant further asserted that since he was drunk he fell down and when he woke up the next morning at about 7.00 A.M. he found his car and other articles missing. It is on the basis of such complaint that FIR under Section 379 read with Section 34 IPC was registered.

Counsel submits that it has transpired that one Deepak and Aman were involved in a separate FIR i.e. FIR No.99 dated 01.05.2021 under Sections 379-B, 427 read with Section 34 IPC and Section 25 of the Arms Act, Police Station Lakhan Majra where they had suffered a disclosure statement and on the strength of which the present petitioner is sought to be implicated.

Counsel submits that it is a clear case of false implication and the petitioner is not involved in any other case and he otherwise has clean antecedents.

Notice of motion returnable for 20.09.2021.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from HC Rajesh, states that the petitioner has joined the investigation, he is no longer required for custodial interrogation and he is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 01.06.2021 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.

20.09.2021

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No