

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CRM-M-29072-2020 (O&M)

Date of decision: 21.01.2021

Pardeep Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ashish Sanghi, Advocate for the petitioner.

Mr. Apoorv Garg, D.A.G. Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 235 dated 07.6.2018 under Sections 379-B, 365, 34 IPC registered at Police Station Sector-17/18, Gurugram, District Gurugram.

This Court, on 22.09.2020, passed the following order:

“Case is taken up for hearing through video conferencing.

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 235 dated 07.6.2018 under Sections 379-B, 365, 34 IPC registered at Police Station Sector-17/18, Gurugram, District Gurugram.

Learned counsel for the petitioner submits that the petitioner has been nominated in the present case on the disclosure statement of co-accused Sunil and Rahul and both the co-accused have been acquitted by the trial Court.

Learned counsel for the petitioner further submits that first time the warrants of arrest were issued against the

petitioner on 08.8.2018 for 04.9.2018, however, thereafter no proceedings were initiated against him.

Notice of motion.

On the asking of the Court, Mr. Ramesh Kumar Ambavta, AAG, Haryana accepts notice on behalf of the State.

Learned State counsel, on instructions from SI Kamruddin Khan, submits that one Ertiga car has been recovered from the petitioner but he has not disputed the fact that the petitioner has been involved in the present case on the basis of disclosure statement of the co-accused, who stand acquitted by the trial Court.

Adjourned to 20.1.2021.

Meanwhile, petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner submits that in compliance with the order dated 22.09.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from S.I. Kamrudin Khan, submits that the petitioner has joined the investigation and is not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 22.09.2020 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

21.01.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No