

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35484-2020 (O&M)
Date of Decision:-7.1.2021

Manpreet Singh @ Sonu @ Vijay Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Paramjit Singh Sullar, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Shamsheer Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.443 dated 13.10.2020 at Police Station Mahesh Nagar, Ambala Cantt., District Ambala under Sections 420 and 120-B of Indian Penal Code and Sections 13-A, 3 and 4 of Public Gambling Act, 1867.
2. The allegations in nutshell are that on 13.10.2020, the Police received information to the effect that Gurjinder Singh @ Happy and Ankur @ Raju indulged in betting at the behest of bookie named Vijay during IPL Cricket Matches with an intention to deceive general public. It is further the case of the prosecution that pursuant to the aforesaid information, Gurjinder Singh @ Happy and Ankur @ Raju were arrested and from their possession 66

mobile phones alongwith LED and an amount of Rs.4000/- in cash were recovered.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and nor anything was ever recovered from him and is sought to be nominated as an accused on the basis of alleged disclosure statement made by co-accused.
4. On the other hand, learned State counsel has submitted that one Vijay is specifically named in the FIR and that the petitioner is also known as Vijay and he is the kingpin, who indulged in betting and had provided all the mobile phones in question. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not involved in any other case.
4. In view of the aforestated position, wherein the identification of the petitioner would be debatable as it is one Vijay, who is named in the FIR and that the petitioner has already joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 25.11.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

7.1.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No