

209
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-15166-2022
Date of Decision: 06.09.2022

Gurvinder Singh

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Mannat Anand, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

Status report has been filed by the State which is taken on record.

The present petition is being segregated from the other connected two petitions since the present petition can be disposed of today.

It has been submitted by the learned State counsel that in pursuance of the orders passed by this Court on 08.04.2022 the petitioner has already joined investigation. However, while referring to the affidavit filed by the State, he has submitted that the petitioner has not cooperated with the investigation process. On a query being raised to the learned State counsel as to what extent the petitioner has not cooperated, he has submitted that although the petitioner had stated that he had subletted the premises due to accident of his son and he had not visited the premises but on the basis of call records it was found that he had visited.

The learned counsel for the petitioner has submitted that the petitioner has already joined investigation and the mere fact that the petitioner had visited the premises cannot disentitle the petitioner for grant of anticipatory bail.

I have heard the learned counsel for the parties.

A perusal of the affidavit filed by the State would show that the petitioner has already joined investigation and the only objection which has been taken by the learned State counsel was that he had visited the premises. Such an objection would not be sustainable while considering the grant of anticipatory bail. Furthermore, a perusal of para No.10 (iv) would show that it has been stated by the State that in view of the fact that he has visited the premises his possibility of being beneficiary in the present case cannot be ruled out. This Court is of the view that the police itself is not sure as to whether the petitioner was the beneficiary or not by stating that there is a possibility of the petitioner to be a beneficiary.

In view of the aforesaid position, this Court deems it fit and proper to grant anticipatory bail to the petitioner.

Consequently, the present petition is allowed. The order dated 08.04.2022 is hereby made absolute.

06.09.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No