

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

203

**CRM-M-17919-2022
Decided on : 16.08.2022**

Bhojveer Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Randeep S. Dhull, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 113, dated 21.08.2011, under Sections 406, 365, 395, 397 & 120-B of IPC, 1860 and Sections 25(1)(1-B)(A) of the Arms Act, 1959, registered at Police Station Sector 56, District Gurugram.

Contentions on behalf of the petitioner, noted while issuing notice of motion on 29.04.2022, reads as under:-

“Learned counsel appearing on behalf of the petitioner inter alia contends that the petitioner is not named in the said incident that is alleged to have taken place in the year 2011. He further contends that two of the persons who were arrested by the prosecution have already been acquitted by the Court of Judicial Magistrate First Class, Gurgaon vide judgment dated 25.10.2016. It is contended that the role attributed to the petitioner now for the purpose of seeking custodial detention is that the petitioner was driving the Indica Car in which the complainant was kidnapped. The reason for custodial detention disclosed by the petitioner is that the Indica car used in the incident is to be recovered. It is also submitted that it is not the case of the prosecution that the Car in question was owned or registered

in the name of the petitioner and no such particulars as regards the title and identification of the Car have been mentioned. In any case, the reason cited by the prosecution for seeking custodial detention is even otherwise is improbable considering that recovery of said Car is being sought nearly 11 years after occurrence of the alleged incident.”

Learned counsel for the petitioner submitted that in compliance of the aforesaid order, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Vinod Kumar,, admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 29.04.2022, is made absolute. Needless to say, the petitioner shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

(SANJAY VASHISTH)
JUDGE

August 16, 2022

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No