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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22444-2022
Date of decision : 22.09.2022

Dev Raj ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

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VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.452 dated 30.04.2022 registered under Section 381 of the Indian Penal Code, 1860 at Police Station Shahabad, District Kurukshetra.

On 23.05.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

> *"Learned counsel contends that as per the allegations, the co-accused Karnail Singh fled away with car and cash belonging to the complainant who was later on arrested and some stolen amount has already been recovered from him. According to him, the petitioner is being implicated on the strength of disclosure of Karnail Singh as he had handed over the bag to the petitioner and his sister (wife of Karnail Singh). According to him, there was no occasion for the petitioner and his sister to believe that the bag has been stolen by Karnail Singh.*
>
> *Notice of motion for 10.08.2022.*
>
> *Meanwhile, the petitioner shall join the investigation*

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and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

23.05.2022 Sd/- (Manoj Bajaj)

Judge ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 23.05.2022, the petitioner has joined the investigation.

Learned counsel for the State has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 23.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 23.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

22.09.2022 **(VIKAS BAHL)**
Pawan **JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No

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