

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-22893-2022

Date of decision : 11.11.2022

Samim

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Tarun, Advocate, for
Mr. Saleem Ahmed, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.430 dated 11.11.2021 registered under Sections 365, 395 IPC (Sections 397, 120-B IPC added later on) and Section 25 of Arms Act at Police Station Bilaspur, District Gurugram.

Counsel for the petitioner submitted that the petitioner was not named in the FIR and was named as accused on the basis of the disclosure made by co-accused who was arrested by the police. He further submits that said co-accused is already facing trial and during the trial, the complainant failed to identify the persons who snatched his mobile phone at the time of the occurrence. He further submits that the petitioner has joined the investigation in compliance of order dated 30.5.2022. State counsel on instructions from ASI Vinod Kumar has admitted that the petitioner has

passed by Coordinate Bench of this Court. He has not refuted the fact that the petitioner was named as accused only on the basis of the disclosure made by co-accused and during the trial, the complainant failed to identify the accused persons who are already facing trial.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 30.5.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

November 11, 2022
Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No