

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

**CRM-M-35428-2022 (O&M)
Date of decision: 10.08.2022**

Khurshid

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Abhimanyu Singh, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 68 dated 24.03.2022 registered under Sections 379, 411 IPC read with Section 34 IPC, (Sections 411 and 34 IPC were added later on), at Police Station Sector 17-18, District Gurugram.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the FIR was lodged on the complaint of Hanuman Singh against some unknown persons for stealing his cantor bearing registration No. HR-55AG-3518 along with 06 tones aluminum bricks; that three accused, namely, Yusuf, Ajrudeen and Sohail were arrested and recovery of Rs. 10,000/- and 47 quintal of aluminum bricks were effected from Ajrudeen and Sohail respectively; that the petitioner was

named in the present case by co-accused Yusuf and Ajrudeen, in their disclosure statements, as a counter-blast to the FIR No. 121 dated 2017 (Annexure P-1) registered against the arrested accused persons on the complaint of the brother of the petitioner.

I have heard the learned counsel for the petitioner and have also gone through the paper-book.

There are specific allegations of theft of aluminum bricks against the petitioner along with the other co-accused and part recovery has already been effected from the co-accused. As the part of the recovery is yet to be effected, therefore, the custodial interrogation of the petitioner is necessary, which would also help to unearth the accused persons involved in such type of crime(s) in the area. The petitioner is a habitual offender and involved in other cases also.

In view of the above, this Court is of the view that the petitioner does not deserve concession of the anticipatory bail.

The present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

10.08.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No