

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-37715-2022 (O & M)

Date of decision: 12.12.2022

Jagdish Kumar

... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Balraj Gujjar, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The petitioner seeks the grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.357 dated 08.07.2022 under Sections 457 and 380 IPC registered at Police Station Sector 10-A, Gurugram (Haryana).

The learned counsel for the petitioner submits that pursuant to the interim order dated 12.09.2022 passed by this Court, the petitioner has joined the investigation. So far as the recovery of stolen material is concerned, the same stood recovered prior to the registration of the present FIR as is borne out from a reading of the FIR itself. Therefore, merely because no recovery has been effected at the instance of the petitioner, would not disentitle him to the grant of pre-arrest bail. Further, the co-accused of the petitioner, namely, Raju Kumar, Tushar @ Manish and Amit have already been granted the concession of regular bail.

The learned counsel for the State, on the other hand, contends that the custodial interrogation of the petitioner is required, and therefore, the petitioner was not entitled to the grant of bail. However, on a specific query as to why the custodial interrogation of the petitioner was required, no particular response has been offered.

In view of the above, no case for custodial interrogation is made out. Therefore, the interim order dated 12.09.2022 is made absolute. Disposed of.

December 12, 2022
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No