

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214-A

CRM-M-52473 of 2021
Date of Decision:17.01.2022

Nitin Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Shiv Kumar, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana

Mr. Gaurav Kathuria, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 of the Cr.P.C., upon FIR no.461, dated 19.08.2020, having been registered at Police Station City Ballabgarh, District Faridabad, alleging therein the commission of offences punishable under Sections 420, 447, 406, 120-B of the IPC (with Sections 380 and 457 of the IPC added later).

On 22.12.2021 the respondent State had been directed to file a reply

through a gazetted officer as to whether the petitioner is actually only employed as a driver with Satvinder @ Vicky Chaudhary (whose petition had been dismissed on that date), or not.

Though no such affidavit has been filed, learned State counsel submits, on instructions from ASI Bachchu Singh, that the petitioner having joined investigation, his custodial interrogation is not required.

Upon query to learned counsel for the complainant, he also very fairly, though he otherwise opposes the petitioner being admitted to bail on the ground that he is in hand in glove with his co-accused, does not deny that the petitioner was actually employed as a driver of Satvinder Singh @ Vicky Chaudhary.

That being so, without making any comment whatsoever on the actual merits of the allegations made against the petitioner, which would be gone into by the investigating agency and the trial court if it comes to that stage on the basis of evidence gathered, the petition is allowed, with the order earlier passed admitting the petitioner to interim bail, made absolute on the same terms and conditions.

January 17, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No