

2023:PHHC:069616

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

CRM-M-3904-2023

Date of Decision: 15.05.2023

MOHIT

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Sushil Jain, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

1. On 25.01.2023, the following order was passed:-

“The petitioner is seeking anticipatory bail in the case bearing FIR No.429 dated 27.09.2022 under Sections 380, 457 IPC (Sections 411 and 34 IPC added subsequently) registered at Police Station Sonipat Sadar, District Sonipat.

Briefly, the FIR has been registered on the basis of the statement of Laxmi Dutt alleging that during the intervening night of 26/27-09.2022, theft of golden jewellery and cash was committed from his house.

Learned counsel for the petitioner contends that none of the accused has been named in the FIR. The petitioner has been nominated in the 3rd disclosure statement of the co-accused, namely, Vishal @ Leelu. The investigation of the case qua Vishal @ Leelu, co-accused, is complete and challan has been presented. During the course of trial, the complainant has not supported the prosecution version and has not even identified Vishal @ Leelu, co-accused, on the basis of whose disclosure statement, the petitioner has been nominated.

Notice of motion.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State.

Adjourned to 15.05.2023.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

- 2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.
- 3. Learned State counsel, on instructions from ASI Paramjeet, submits that the petitioner has joined the investigation and his custodial interrogation is not required.
- 4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 25.01.2023, vide which the petitioner has been granted interim bail, is made absolute.
- 5. Petition is allowed.

15.05.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No