

2023:PHHC:058040

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

CRM-M -4228-2023

Date of Decision: 25.04.2023

ANAND

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Lalit Kumar Narang, Advocate
for the petitioner.

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

VIVEK PURI, J.(ORAL)

1. On 27.01.2023, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No. 12 dated 12.01.2023 under Section 379 IPC, registered at Police Station City Safidon, District Jind.

Learned counsel for the petitioner contends that the FIR has been registered on the basis of the statement of Vikas, complainant, alleging the theft of a drum containing black oil from his workshop. It has been further submitted that the petitioner has not been named in the FIR and has been nominated as an accused on the basis of the disclosure statement of the accused namely Bhupinder @ Maharaj. The recovery has already been effected. It is categoric submission of learned counsel for the petitioner that the petitioner is not visible in the CCTV footage.

Notice of motion.

Mr. Tanuj Sharma, AAG Haryana accepts notice on behalf of the State.

Adjourned to 25.04.2023.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

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 H.C.Vinay, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner 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 27.01.2023, vide which the petitioner has been granted interim bail, is made absolute.

5. Petition is allowed.

25.04.2023
smriti

(VIVEK PURI)
JUDGE

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