

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10333-2023
Date of Decision: 24.05.2023

JABID @ JABIR

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

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VIVEK PURI, J. (ORAL)

1. On 27.02.2023, following order was passed:

“Petitioner is seeking anticipatory bail in case bearing FIR No. 87 dated 03.04.2021 under Sections 407, 419, 212, 120-B IPC, registered at Police Station Sadar Tauru, District Nuh.

Learned counsel for the petitioner contends that the allegations have been levelled against driver Ayub and conductor Rahul to the effect that they had misappropriated 241 tyres with 211 tubes which were being transported from Chennai to Gurugram, Dharuheda on 26.03.2021. The petitioner was also working as a driver in the complainant-Company. The petitioner has been nominated in the second disclosure statement of the co-accused namely Ayub. Although, there is an observation in the impugned order to the effect that accused Ayub and Rahul have sold the aforesaid articles to the petitioner but the disclosure statement does not indicate so. The petitioner is not in any manner connected with the transportation of the aforesaid articles in the truck bearing registration No. HR-38-T-0631 on 26.03.2021.

Notice of motion.

Mr. Ranvir Singh Arya, Addl. AG Haryana accepts notice on behalf of the State.

Adjourned to 24.05.2023.

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 the interim directions, the petitioner has joined the investigation.

3. Learned State counsel, on instructions from ASI Daya Kishan, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.02.2023 is made absolute.

24.05.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No