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**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

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**CRM-M-22405-2022  
Date of Decision: 30.01.2023**

Kamal Kishore

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: None for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

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**HARSH BUNGER J. (ORAL)**

The present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioner in case FIR No.888 dated 11.11.2021 (Annexure P-1), under Sections 379-A, 420 and 506 IPC (Section 120-B IPC read with Section 34 IPC added subsequently in challan charge-sheet), registered at Police Station City Karnal, District Karnal.

On 28.07.2022, the following order was passed by a co-ordinate Bench of this Court :-

*“Reply by way of an affidavit of Deputy Superintendent of Police, City, Karnal has been filed by the learned State counsel in Court today and the same is taken on record.*

*Learned counsel for the petitioner has submitted that it is a case where the petitioner has been falsely implicated. He further submitted that even as per the prosecution story, the entire prosecution story gets demolished from the facts of the case itself. He also submitted that firstly, the offence, if any, as per the FIR was alleged to have been committed at Saha-Panchkula Road whereas the FIR has been registered at*

*Karnal. Secondly, there is a delay of 20 days in lodging of the FIR after the snatching. Thirdly, the Saha-Panchkula Road is a very busy highway and at every 10 kms. there is a board installed that in case of an emergency or to contact the police, a person can dial No.112 and PCRs are regularly patrolling on the highway and the complainant never lodged any complaint either to the PCR or to any police station and waited for 20 days. Fourthly, as per the allegations, one of the accused, namely, Darshan Singh had come to the shop of the complainant, who was running a wholesale business of cloth and told him to sell his gold @ 10% discount, and thereafter, he went up to 20% discount which itself is totally improbable because gold is not required to be sold at discount and it can be easily sold at the Jewellery Shop. He also submitted that the petitioner has been falsely implicated in the present case and has prayed for grant of anticipatory bail to the petitioner.*

*In view of the aforesaid position, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.*

*Adjourned to 30.01.2023.”*

Today, there is no representation on behalf of the petitioner. However, learned State counsel, on instructions from Assistant Sub Inspector Parveen Kumar, submits that pursuant to the aforesaid order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.

Heard learned State counsel.

Since the petitioner has joined the investigation and his

custodial interrogation is not required at this stage, order dated 28.07.2022, passed by a co-ordinate Bench of this Court, is made absolute.

However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if the petitioner fails to comply with any of the directions issued above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.

Present petition is accordingly disposed of.

**30.01.2023**

*Apurva*

**(HARSH BUNGER)**  
**JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No