

CRM-M-22571-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22571-2022
Reserved on: 17.01.2023
Pronounced on: 30.01.2023

Bhupinder Anand ...Petitioner

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kanwar Pahul Singh, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Namit Khurana, Advocate for respondent No.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
341	24.04.2022	Karnal City, Karnal	406, 420, 506, 120-B IPC

1. The petitioner apprehending arrest in the FIR captioned above, on the allegations of misappropriating 1 kg and 99 grams of gold, had come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. Vide order dated 23-05-2022, the petitioner was granted interim protection, which is continuing till date.
3. Petitioner's counsel prays for bail by imposing any stringent conditions.The petitioner’s counsel argued that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
4. The State’s counsel opposes the bail.

REASONING:

5. Vide order dated 09-11-2022, this court had directed the petitioner to declare all his assets, which as per the petitioner’s counsel was done and order complied with. Given the nature of allegations being gold mortgage for cash loan, there would be no justification to keep this bail pending waiting for the proper investigation. The petitioner was granted interim protection, and during the interregnum, there is no allegation that he had intimidated the victim or victim’s family or the witnesses or that

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he had hampered the investigation, or despite being called to join the investigation, he did not appear before the investigator.

6. Given above, there would be no justification to discontinue the interim protection, and the same is made absolute subject to the petitioner complying with the terms of the bail order and the following additional conditions.

Petition allowed in aforesaid terms. Interim order dated 23.05.2022, is made absolute subject to strict compliance of all terms and conditions. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

30.01.2023
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Whether speaking/reasoned: Yes
Whether reportable: No.