

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:109807
CRM-M-30358-2023
Date of Decision: August 23, 2023

Raj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Inderjeet Singh, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

On 13.06.2023, the following order was passed by this

Court:-

“Prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.679, dated 09.12.2022, under Sections 380 and 34 IPC, registered at Police Station Jagadhri, District Yamuna Nagar.

As per the allegations, batteries from the tractors of the complainant and his neighbour were stolen by some unknown persons on the night intervening 27/28.10.2022. FIR was lodged on 09.12.2022, i.e., more than one month after the date of occurrence.

It is contended by learned counsel for the petitioner that the petitioner is nowhere in the picture but his name has been disclosed by co-accused Prince @ Goli and Rahul @ Chhota Ganja to the effect that they sold the stolen batteries to 'Kabadi' (scrap dealer), namely, Raj Kumarpetitioner.

Learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged offence and that FIR itself was lodged after a period of more than one month from the date of occurrence.

Notice of motion.

At the asking of the Court, Mr. Randhir Singh, Addl. A.G., Haryana appears and accepts notice on behalf of the respondent-State.

The factual position as disclosed by learned counsel for the petitioner is not disputed by learned State counsel.

List on 23.08.2023.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 13.06.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 13.06.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

August 23, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No