

(210)

2023:PHHC:089634

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

CRM-M-31114 of 2023

Date of Decision: July 18, 2023

Sameer Ulla

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vikram Singh Chauhan, Advocate for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C is for grant of anticipatory bail in case FIR No.212 dated 11.03.2023 under Section 379-A IPC at Police Station Sadar, Karnal, District Karnal, Haryana.

FIR was lodged on the complaint of Satwinder Singh Mann, as per which on 11.03.2023, two boys came on a bike and the pillion rider snatched half portion of his gold chain. After registration of the FIR and during the investigation, Irshad alias Sahid and Mainudeen were arrested in case FIR No.116 dated 11.03.2023 under Section 379-A IPC at Police Station Sector 32/33, wherein they suffered disclosure statement that they had sold the stolen gold chain to Sameer son of Atta Ulla (i.e. petitioner)

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and he is sought to be arrested simply on the basis of disclosure statement of co-accused which is inadmissible.

Learned State Counsel has opposed the bail petition by pointing out towards criminal antecedents of the petitioner, who is involved in various cases.

Having regard to the role of the petitioner in this case, but without commenting anything further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. It is directed that in case of his arrest, the petitioner shall be released on bail by the Investigating Officer subject to his furnishing bail bonds/ surety bonds to the satisfaction of Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

However, in case petitioner fails to co-operate in the investigation, the respondent- State will be at liberty to approach this Court for cancellation of bail.

Disposed of.

July 18, 2023

renu

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No