

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

204

CRM-M-32648-2022

Date of decision: 08.08.2023

Harbhajan

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Amandeep Singh Manaise, Advocate  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.155 dated 02.07.2022 under Sections 457 and 380 of the IPC registered at Police Station Tanda, District Hoshiarpur.

2. Learned counsel for the petitioner submits that in compliance of order dated 28.07.2022 the petitioner has joined investigation and cooperated with the investigating agency.

3. Learned State counsel on instructions from SI Daljeet Singh, has, however, disputed the said fact by contending that though the petitioner has joined investigation, however, he has not been cooperating with the investigating agency as he has failed to get the motorcycle recovered which was stolen from the house of the complainant.

4. Learned counsel for the petitioner has, however, yet again reiterated that it was a case of false implication and he was not even

remotely connected with the crime in question. It has been submitted that the petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Navdeep Grover @ Goldy and Gurpreet Singh @ Gopi. It has been further submitted that the disclosure statement on the basis of which he has been nominated as an accused does not have much evidentiary value.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the above, the petition is allowed and interim order dated 28.07.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

08.08.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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