

2023:PHHC:095915

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

105

**CRM-M No.36071-2023
Date of Decision: July 27, 2023**

Mohd. Aslam

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Saleem Ahmed, Advocate, for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed under Section 438 of the Cr.P.C. seeking anticipatory bail to the petitioner in FIR No.210 dated 17.06.2023 registered under Sections 409 & 420 IPC at Police Station Ferozepur Jhirka, District Nuh, Haryana.

2. It has been submitted by learned counsel for the petitioner that the allegation against the petitioner is totally false. In fact, the petitioner was not present at the time of checking of the bus by the party. He had already deboarded from the bus on the previous station, as he was facing problem of Diarrhea. The petitioner is not having any other criminal case against him.

3. Notice of motion.

4. Mr. Krishan K.Chahal, Addl. Advocate General, Haryana accepts notice on behalf of respondent-State.

5. Learned State counsel, on instructions from ASI Dev Datt, has submitted that the petitioner is involved in embezzlement of the public money. Therefore, he does not deserve any concession of anticipatory bail. However, it is not disputed that there is no other criminal case pending against the petitioner.

6. In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that the petitioner shall 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.

July 27, 2023
Ankur

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No