

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-36910-2023

Date of decision: 09.11.2023

Javed Khan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.P. Jangu, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

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.125 dated 16.05.2023 under Section 380 of the IPC (Section 120B of the IPC added lateron) registered at Police Station Sadar Kanina, District Mahendergarh.

2. On 31.07.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“While drawing the attention of this Court to the FIR in question which has been annexed as Annexure P-1, learned counsel for the petitioner submits that a perusal of the same reveals that the petitioner was not present at the time of the alleged theft and it was his employee who was allegedly loading the pipes, belonging to the complainant department, in the vehicle owned by him.”

3. Learned counsel for the petitioner submits that in

compliance of order dated 31.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Mahabir Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 31.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.11.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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