

**2023:PHHC:046673**

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

**CRM-M-43626-2022**

**Date of Decision: 29.03.2023**

**VISHANK BHARDWAJ**

**... PETITIONER**

**VS.**

**STATE OF PUNJAB**

**.. RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present : Mr. Karan Pathak, Advocate,  
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

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**VIVEK PURI, J.(ORAL)**

The petitioner is seeking anticipatory bail in the case bearing FIR No.0247 dated 10.08.2021 under Sections 341, 397, 34 IPC (Section 411 IPC added later on) and Sections 25 of the Arms Act registered at Police Station Dera Bassi, District SAS Nagar.

Short reply by way of affidavit of Darpan Ahluwalia, Assistant Superintendent of Police, Sub Division, Dera Bassi, District SAS Nagar on behalf of the respondent-State has been placed on record.

On 21.09.2022, the following order was passed:-

“Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and as per the FIR a fire was shot on the ground near the feet of the complainant by the petitioner but in fact it was a concocted story since the petitioner got the car from his own brother-in-law and has submitted that the petitioner may be considered for the grant of anticipatory bail.

Notice of motion.

Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab accepts notice on behalf of the State of Punjab.

On a query being raised to the learned State counsel as

to whether during investigation any identification mark on the ground of the road or any other place was found or not, he stated that no such mark or any empty cartridge has been recovered from the spot. He prays for some time to file an affidavit.

Adjourned to 29.03.2023.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. The stolen property i.e. the vehicle has been recovered by Delhi Police. Furthermore, the complainant had sworn an affidavit, Annexure P-7 indicating that the petitioner does not appear to be one of the assailants, who had snatched the car.

Learned State counsel, on instructions from ASI Sukhdev Singh, submits that the petitioner has joined the investigation, recovery of car has been effected and his custodial interrogation is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 21.09.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

**29.03.2023**  
smriti

**(VIVEK PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No