

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

212

2023:PHHC:160840

CRM-M-45776-2023

Date of decision: December 14th, 2023

Manoj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Akshay Jindal, Advocate
for the petitioner.

Mr. B.S. Virk, Senior DAG, Haryana
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.97 dated 01.06.2023 under Sections 306, 34 of the Indian Penal Code, 1860, registered at Police Station Machhrauli, District Jhajjar.

Vide order dated 14.09.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned Senior counsel for the petitioner inter alia contends that as per the allegations levelled in the FIR in question, the petitioner along with co-accused Sonu had allegedly snatched Rs.85,500/- from the deceased Sachin, which was thereafter returned by the petitioner and the co-accused, to one HC Raj Pal. However, instead of returning the entire amount back to the deceased, HC Raj Pal had handed over only Rs.55,000/- to the deceased while

retaining the balance amount of Rs.30,500/-. Learned Senior counsel submits that in view of the allegations levelled in the FIR in question coupled with the admitted case of the complainant himself that the snatched amount had been returned by the petitioner to HC Raj Pal, it is evident that the ingredients to invite the mischief of Sections 306 and 34 IPC were clearly not made out at least against the petitioner. Learned Senior counsel further submits that if at all, the deceased had committed suicide, it was on account of HC Raj Pal for not handing over the entire snatched amount of Rs.85,500/- back to the deceased.”

Learned counsel for the petitioner submits that in compliance of order dated 14.09.2023 the petitioner has joined investigation and cooperated with the investigating agency.

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

In view of the above, the petition is allowed and interim order dated 14.09.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

December 14th, 2023

ps

**(MANJARI NEHRU KAUL)
JUDGE**

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