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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M 47205-2023
Date of Decision 19.09.2023*Manish**.....Petitioner**versus**State of Haryana**...Respondent***Coram Hon'ble Mr. Justice Rajbir Sehrawat**

Present: Mr. Sumit S Bairagi, Advocate for the petitioner

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Rajbir Sehrawat, J, (Oral)

1) The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 354 dated 19.05.2023, registered under Section 379 of the Indian Penal Code, at Police Station Chandni Bagh, District Panipat.

2) It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, the name of the petitioner has been dragged in the present case by the police with *mala fide* intention and ulterior motive only on the basis of disclosure statement of the petitioner himself, made in another case. Beside this, there is nothing against the petitioner. The petitioner shall join the investigation as and when called by the Police. Therefore, the petitioner deserves to be protected against his arrest.

- 3) Notice of motion.
- 4) Mr. Krishan Kumar Chahal, Additional Advocate General, Haryana accepts notice.
- 5) Counsel for the State, on instructions from HC-Pawan has submitted that in the present case, FIR has been registered with regard to the theft of a motor-cycle. The motor-cycle in question was got recovered by the petitioner during interrogation in another case. In fact, the petitioner is a habitual offender, and he is facing as many as six more cases of similar nature. The Police are to unearth the true dimensions of the involvement of the petitioner in the crime. Therefore, the custodial interrogation of the petitioner is imperative in the case.
- 6) In view of the facts and circumstances of the case available on record, as well as, submissions made by counsel for the State, this Court does not find it appropriate to interfere in the matter so as to grant concession of anticipatory bail to the petitioner, at this stage.
- 7) Dismissed.

(Rajbir Sehrawat)
Judge

September 19, 2023
mohan bimbura

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No