

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M No.47913 of 2023 (O&M)
DATE OF DECISION: 22nd SEPTEMBER, 2023

Anil Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. S.S. Rana, Advocate
for the petitioner.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of pre-arrest bail in case FIR No.150 dated 06.07.2023 registered under Section 379 IPC (Section 411 IPC added later on) at Police Station Mahilpur, District Hoshiarpur, Punjab.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in the crime as alleged against him. The name of the petitioner has been involved in the case only on the disclosure statement of the co-accused. Another co-accused has already been granted concession of anticipatory bail by this Court. The petitioner is ready to join the investigation as and when called by the Investigating Officer. Therefore, the petitioner deserves to be protected against his arrest.

3. Notice of motion.

4. Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State.

5. Learned State counsel, being instructed by ASI Jasbir Singh, has submitted that the petitioner is directly involved in the case. The name of the petitioner has duly surfaced in the crime as per the disclosure statement of the co-accused, who was arrested by the police. The petitioner was driver of the vehicle in which the scrap was taken. However, it is not disputed by learned State counsel that another co-accused of the petitioner, with similar allegations, has already been granted anticipatory bail.

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.

22nd SEPTEMBER, 2023
'sandeep'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>