

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-5512-2024

Date of Decision:20.03.2024

SAHIL

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Neeraj Jain, Advocate
for the petitioner.

Mr. Sumit Jain, Additional AG, Haryana
assisted by SI Balkar Singh

DEEPAK GUPTA, J.(ORAL)

On 09.02.2024, following order was passed:

“Status report by way of affidavit of Shri Ramesh Kumar, HPS, Deputy Superintendent of Police, (Hqs) Ambala, District Ambala, has been filed on behalf of the respondent – State.

By way of present petition filed under Section 438 Cr.P.C, petitioner prays for grant of anticipatory bail in case FIR No.04 dated 07.01.2024 registered under Sections 379A, 34 IPC at Police Station Baldev Nagar, District Ambala.

As per allegations, on 04.01.2024, at about 03:00 AM, complainant Vijay Singh Jogi, took lift in a Canter. 4-5 boys sitting in the Canter took out a knife, threatening to hurt the complainant, snatched his mobile phone, purse containing ₹1700/-, driving licence and ATM Card. It is also the allegation that those boys got transferred ₹2536/- from the UPI of the complainant to their account. It is further alleged that the assailants gave beatings to the complainant and threw

him out of the Canter.

Learned counsel for the petitioner contends that the alleged incidence took place on 04.01.2024 but FIR was lodged on 07.01.2024 i.e. after three days of occurrence. Besides FIR is against unknown persons. Learned counsel for the petitioner also contends that he has nothing to do with the crime.

On the other hand, learned State Counsel has drawn attention towards the status report as per which, on the basis of secret information, co-accused Kulvinder Singh, Anchal, Rahul alias Kaka and Suresh KC were arrested and suffered their disclosure statements admitting their involvement in the crime and further nominated the petitioner to be one of their companions. As per disclosure statement of co-accused, snatched purse, ATM Card, Driving Licence of the complainant and the knife used in the offence, are still with the petitioner.

Having regard to the fact that there is delay of 03 days in the lodging of the FIR and the fact that name of the petitioner has surfaced in the disclosure statement of the co-accused, let the petitioner join the investigation. It is directed that in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

Adjourned to 20.03.2024.”

Today learned State counsel, on instructions from SI Balkar Singh submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 09.02.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

20.03.2024

pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No