



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

**CRM-M-7543-2024**

Date of Decision: 11.07.2024

Gaurav

.... Petitioner

Versus

State of Haryana

.... Respondent

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: - Mr. R.S.Randhawa, Advocate with  
Ms. Tarranum Madan and  
Mr. Yadwinder Singh, Advocate  
for the petitioner.

Ms. Deepshikha Chauha, A.A.G., Haryana.

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**NIDHI GUPTA, J. (ORAL)**

Prayer in the instant petition filed under Section 438 Cr.P.C.  
is for grant of anticipatory bail to the petitioner in case FIR No.275 dated  
11.10.2023 (Annexure P-1), under Sections 346, 365, 354, 467, 468,  
471, 506, 120-B, 34 IPC and Section 25 and 27 of Arms Act, registered  
at Police Station Sector-17, Faridabad.

On 13.02.2024, when this case was listed for hearing,  
following order was passed by this Court:-

*“Prayer in this first petition filed under Section 438  
Cr.P.C. is for grant of anticipatory bail to the petitioner in  
case FIR No.275 dated 11.10.2023 (Annexure P-1), under  
Sections 346, 365, 354, 467, 468, 471, 506, 120-B, 34 IPC  
and Section 25 and 27 of Arms Act, registered at Police  
Station Sector-17, Faridabad.*



*Learned counsel for the petitioner inter alia submits that the present FIR has been registered on the basis of the statement of one Laxmi Devi, who is wife of the abductee, namely, Rajkumar. It is submitted that the date of incident was 11.10.2023 and the petitioner, firstly, was not named in the FIR. Thereafter, in a supplementary statement made by the abductee Rajkumar on 16.10.2023 also, the petitioner was not named; and even in the statement under Section 164 Cr.P.C., the petitioner's name did not figure. Learned counsel for the petitioner contends that it is only in the 2nd supplementary statement made by the abductee on 24.10.2023, petitioner's name figured for the first time, wherein the role attributed to him is that he took away the car, in which the abductee was allegedly abducted. Learned counsel states that there are seven other co-accused in the matter and the petitioner has no concern with the present incident. It is stated that it is matrimonial dispute between the abductee and his first wife, namely, Sushma, of whom, the co-accused are relatives.*

*Notice of motion.*

*On asking of the Court, Mr. Ranvir Singh Arya, Addl. A.G., Haryana accepts notice on behalf of State and submits that the swift car bearing No.HR-26-AH-2081, which was allegedly used by the petitioner, bears a fake number plate and the same is yet to be recovered from the petitioner.*

*Learned counsel for the petitioner undertakes to join with the investigation and co-operate with the investigating agency.*

*Adjourned to 11.7.2024.*

*In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction*



*of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-*

- i that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required ;*
- ii that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.*

*Meanwhile, State counsel is directed to file an affidavit as to the exact role of the petitioner alongwith the details of pending FIRs, if any, on or before the next date of hearing.”*

Learned counsel for the petitioner submits that in compliance of the order dated 13.02.2024 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Anil Kumar, submits that the recovery was to be effected from the petitioner. However, the same has not been made. Therefore, offence under Section 201 IPC has been added to the present FIR. It is further submitted that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 13.02.2024 granting interim bail to the petitioner is made absolute.



However, the petitioner will abide by the conditions stipulated under Section 438(2) Cr.P.C. He will also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

**11.07.2024**

Divyanshi

( NIDHI GUPTA )  
JUDGE

### Whether speaking/reasoned

**Yes/No**

## Whether Reportable

**Yes/No**