



CRM-M-16037-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-16037-2024

Date of Decision : 13.11.2024

Manpreet Singh @ Mani

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. This Court, on dated 04.04.2024, had passed the hereinafter extracted order, upon the instant petition:-

“Counsel for the petitioner while referring to the disclosure statement made by co-accused-Rahul Sharma who was arrested by the police, submits that from the perusal of the same it appears that the present petitioner himself was not present when the alleged snatching was committed by the other accused persons and as per said disclosure statement later on amount of Rs.40,000/- was given to the petitioner by co-accused Rahul Sharma out of the total amount which was there in the snatched bag of complainant. Counsel for the petitioner further submits that as per the allegations in the FIR three unknown persons were involved in this snatching of bag from complainant and all three of them are already arrested by the police. He further submits that petitioner is having no criminal antecedents and is ready to join the investigation with the police.

State counsel on instructions from ASI Balwinder Singh submits that the petitioner also actively participated in the



incident of snatching and thereafter the entire snatched amount was shared by the accused persons including the petitioner. However, the State counsel has not refuted the fact that petitioner is having no criminal history.

The copy of the disclosure statement made by co-accused Rahul Sharma whereby the petitioner was nominated as accused is taken on record.

Counsel for the petitioner while refuting the aforesaid contentions raised by the State counsel submits that the alleged disclosure statement made by co-accused is inadmissible in evidence against the petitioner and even otherwise its evidentiary value will be tested during trial.

Now be listed on 27.05.2024.

In the meantime, in case of arrest, the petitioner is directed to be released on interim bail by the Investigating Officer/Arresting Officer subject to his own satisfaction.

The petitioner should join investigation with the police well in time before the next date of hearing and to abide by the conditions envisaged under Section 438 (2) Cr.P.C.”

2. Thereupon, the petitioner was made to join the investigation, on a number of occasions, as the stand of the prosecution was that the petitioner is required to get recovered one car, which was used in conducting reccy. The relief of anticipatory bail to the petitioner was opposed by the learned State counsel, on the ground that the petitioner, despite being given numerous opportunities, has not got recovered the car, used in the alleged crime, therefore, he may not be granted the relief of anticipatory bail.

3. Today, the learned State counsel on instructions imparted to him by ASI Balwinder Singh, also stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined the investigation and except the recovery of the car, used in the alleged crime, he is no longer

required for further custodial interrogation.



4. This Court has considered the submissions made by the learned State counsel and has gone through the record as well.

5. Perusal of the FIR (supra), reflects that there are no allegations whatsoever, regarding use of the car, in the commission of alleged crime. The use of the car, has come only in the disclosure statement made by the co-accused, the probative value of which, is yet to be ascertained.

6. In view of the above, the hereinabove extracted interim order dated 04.04.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

7. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.

8. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

(KULDEEP TIWARI)
JUDGE

November 13, 2024
Manpreet

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