



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28583-2024
DECIDED ON: 30.05.2024

RAHUL

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rohit Suri, Advocate for
Mr. Karan Gaba, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.435, dated 17.12.2023, under Sections 34 & 384 of the IPC, 1860, registered at Police Station Sarai Khawaja, District Faridabad.

Learned counsel for the petitioner contends that the petitioner is the former employee of Sri Mahadevi Associate and took possession of the vehicle in question on account of non-payment of loan advanced by the said agency. He further contends that the act committed by the petitioner is only under the instructions of his employer as he was duty bound but having no knowledge about the commissioning of said offence acted in a *bona fide* belief and good faith. He undertakes to join the investigation and cooperate with the Investigating Agency.

Notice of motion.

On the asking of the Court, Mr. B.S. Virk, Sr. DAG, Haryana

accepts notice on behalf of the respondent-State and could not controvert the

said fact and submits that without adopting a proper procedure, the petitioner was involved in snatching the vehicle in question which amounts to commissioning of crime of extortion and accordingly, offence under Section 384 IPC is made out.

Be that as it may, considering the fact that another co-accused Lalit Shanker Sharma was similarly placed and by considering all these aspects by this Court granted anticipatory bail to the aforesaid co-accused as well as the fact that nothing is to be recovered since the vehicle in question already stands recovered by the Investigating Agency, no fruitful purpose would be served by sending the petitioner behind the bars.

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

30.05.2024
Poonam Negi

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>