



CRM-M-33682-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-33682-2024
Date of Decision : 16.10.2024

Maninder Singh @ Sunny ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. B.S. Beniwal, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. This Court, on dated 17.07.2024, had passed the hereinafter
extracted order, upon the instant petition:-

*“1. Through the instant petition, as instituted under
Section 438 of the Cr.P.C., the petitioner seeks the
concession of anticipatory bail, in case FIR No.436 dated
20.10.2023, under Section 379 of the IPC (Section 120-B
of the IPC added subsequently), registered at P.S. Bhuna,
District Fatehabad.*

*2. The learned counsel for the petitioner, in his asking for
the relief (supra), submits that neither the name of the
petitioner reflects in the FIR, nor any role whatsoever has
been assigned to him therein. The only piece of evidence,
which constitutes the bedrock for the investigating agency
to arrest the petitioner, is the disclosure statement of
co/main accused Sagar @ Vipin Kumar and Gurnam
Singh, who are alleged to have committed theft of 20
tonnes steel (Sariya). Except disclosure statement of co-*



accused, which is not even admissible in the eyes of law, there is no cogent incriminatory material available with the investigating agency to connect the petitioner with the alleged crime. Insofar as the CCTV footage of the alleged theft is concerned, the petitioner is nowhere to be seen even in the said CCTV footage. Moreover, the petitioner's co/main accused Sagar @ Vipin Kumar has already been granted regular bail by the learned trial Court concerned.

3. Notice of motion for 22.08.2024.

4. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

5. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

2. Today, the learned State counsel, on instructions imparted to him from the investigating officer concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined the investigation and he is no longer required for further custodial interrogation.

3. In deference to the directions issued by this Court, on dated 19.09.2024, the petitioner has deposited the costs of Rs.5,000/- with the District Legal Services Authority, concerned, and today learned counsel for the petitioner has placed on record the photocopy of the receipt thereof. The same is ordered to be taken on the record.

4. In view of the above, the hereinabove extracted interim order dated 17.07.2024, is hereby made **absolute**, subject to the hereinafter



*“(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.”*

5. 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.

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

(KULDEEP TIWARI)
JUDGE

October 16, 2024
Manpreet

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