

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2024:PHHC:156984



(205)

CRM-M-36439-2024

Date of Decision: 27.11.2024

--Petitioner

Sandeep Singh

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL.

Present:- Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. Munish Sharma, DAG, Haryana assisted by
PSI Naresh Kumar.

FIR	Dated	Police Station	Sections
470	04.07.2024	City Sirsa, District Sirsa	303 of BNS

GURVINDER SINGH GILL.J (Oral)

- The petitioner seeks grant of anticipatory bail in respect of the
aforementioned FIR.
- At the time of issuance of notice of motion, the following order was
passed on 31.07.2024:-

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.470, dated 4.7.2024 at Police Station City Sirsa, District Sirsa, under Section 303 of Bharatiya Nyaya Sanhita, 2023 (BNS).

The FIR was lodged at the instance of Sachin Taneja, wherein it is alleged that on 2.7.2024 at about 05:00 P.M., he had parked his motorcycle bearing registration No.HR-24M-1149 outside Shakti Motors Pirvate Limited (Maruti Agency), Dabwali Road, City Sirsa. However, when he came back after a short while, his motorcycle was missing. It is further the case of prosecution that subsequently the police received secret

information as against Jasdeep Ram and Ashu Ram and was able to apprehend the said two persons alongwith the stolen motorcycle though the same was not bearing any number plate. It is further the case of prosecution that during the course of interrogation aforesaid Jasdeep Ram suffered a disclosure statement to the effect that the petitioner was associated with them. It is also the case of prosecution that a box and the number plates of the stolen motorcycle were to be recovered from the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely been nominated in the present case on the basis of an alleged disclosure statement, the evidentiary value of which would be debatable. It has been submitted that it is the co-accused, who were allegedly found in possession of the stolen motorcycle and the petitioner is sought to be implicated on the premises that he is retaining the number plates and a box of the motorcycle, which infact would hardly have any value. Rather the petitioner by possessing such articles would be inviting trouble and thus it is highly unlikely that he would have retained such articles or be involved in the incident at all. Notice of motion for 27.11.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. It has also been informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any

custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 31.07.2024 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

27.11.2024

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No