



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M No.37264 of 2024
Date of decision: 13.09.2024

RAJESH MAHAJAN

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Amit Dhawan, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. The present petition has been filed by the petitioner for grant of anticipatory bail in case FIR No. 21, dated 14.02.2024, under Sections 306 and 34 of IPC at Police Station Dhuri, District Sangrur.

2. Vide order dated 06.03.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 06.03.2024, passed by this Court, reads as under:

“The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No. 96 dated 14.07.2023 registered initially under Section 379 IPC and offence under Sections 411, 413, 201 read with Section 34 IPC added later on at Police Station Division no.2, Police Commissionerate Jalandhar, on the basis of statement recorded by the complainant Manoj Kalra regarding the theft of his Honda City car bearing registration No.PB-08- DF-3031 on the intervening night 12/13.07.2023.

Counsel for the petitioner submits that the petitioner was not named in the FIR. The recovery of the parts of the stolen car has been effected from the co-accused Raman Kumar. He has been nominated as

an accused on the basis of statement of co-accused Raman Kumar. No recovery pertaining to this case is effected from him. He further submits that his custodial interrogation is no required. He is ready to join the investigation.

Notice of motion for 13.09.2024.

On asking of the Court, Ms. Ruchika Sabherwal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bond to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 11.09.2024 and he is not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 05.08.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (analogous to Section 438(2) of the Code of Criminal Procedure).

(MANISHA BATRA)
JUDGE

13.09.2024
Jyoti-IV

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No