



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-38391-2024

Date of decision: 21.11.2024

Sanjay

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

Mr. Ram Pal Verma, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the BNSS, 2023 in case FIR No.374 dated 06.06.2024 under Sections 380, 457, 201 of the Indian Penal Code, 1860, registered at Police Station HTM Hisar, District Hisar.

2. On 08.08.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had issued notice of motion:-

“Learned counsel for the petitioner submits that the petitioner has been nominated as an accused only on the basis of a disclosure statement allegedly suffered by co-accused, wherein also the only role attributed to the petitioner was of having kept the stolen property/gold ornaments with him. Learned counsel has submitted that it is not the case of the prosecution that the petitioner was part of the gang, which allegedly committed dacoity in the house of the complainant.”



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3. Thereafter, on 12.09.2024 while noticing the following submissions made by learned State counsel, this Court had granted the interim bail to the petitioner and asked him to join investigation:-

“Learned State counsel, on instructions, has not disputed that although the petitioner was earlier booked in three other criminal cases, however, he had since been acquitted in all those cases and as on date the petitioner was not facing trial in any other criminal case except the present one.”

4. Learned counsel for the petitioner submits that in compliance of order dated 12.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from HC Manoj, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 12.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS.

21.11.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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