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212 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-39255-2024
Decided on : 09.12.2024

Tahir Hussain

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. M.D.Khan, Advocate
for the petitioner.

Ms. Trishanjli Sharma, DAG, Haryana.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.13 dated 23.10.2019 under Section 379 IPC registered at Police Station Utawar, District Palwal.

2. On 25.09.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:

“Learned counsel for the petitioner inter alia contends that seven batteries from three different trucks were allegedly stolen on 19.10.2019; FIR in question came to be registered on 23.10.2019. It has been submitted that the false implication of the petitioner in the present case is apparent from the fact that wrong parentage has been



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given in the FIR in question inasmuch as the petitioner is the son of one Kamar Kha, however, the FIR stands registered against Tahir son of Kamar Singh.

On a pointed query put to the learned counsel as to whether the petitioner was declared a proclaimed offender, he has categorically replied in the negative and has also submitted that co-accused of the petitioner i.e. Ikram has since been extended the concession of bail on 13.11.2020.”

3. Learned counsel for the petitioner submits that in compliance of order dated 25.09.2024, petitioner has joined the investigation and cooperated with the investigating officer.
4. Learned State counsel, on instructions, has not disputed the submission made by learned counsel for the petitioner. Learned State counsel has further submitted that the petitioner is not required for custodial interrogation.
5. In view of the above, present petition is allowed and interim order dated 25.09.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC/482(2) of BNS.

09.12.2024
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(MANJARI NEHRU KAUL)
JUDGE

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