



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-41919-2023

Date of decision: 16.05.2024

Sunil Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gulshan Nandwani, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.125 dated 16.05.2023 under Section 380 read with Sections 201/120 B of the IPC, registered at Police Station Sadar Kanina, District Mahendergarh.

2. On 24.08.2023, learned counsel for the petitioner had made the following submissions:-

“Learned counsel for the petitioner submits that false allegations have been levelled in the FIR that at his behest the alleged theft of 86 pipes had taken place. Learned counsel submits that these are totally false allegations as the petitioner was not even found present when the theft in question took place.

On a pointed query put to the learned counsel as to whether the petitioner is involved in any other criminal case, he has submitted that though there is another case registered against him of similar nature, however, the complainant in that case had submitted that it was on account of some misunderstanding that the FIR in question had come to be lodged against the petitioner.”



3. Thereafter, vide order dated 20.11.2023, the petitioner had been granted the concession of interim bail and was asked to join investigation.

4. Learned counsel for the petitioner submits that in compliance of order dated 20.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, 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 20.11.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

16.05.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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