



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207 CRM-M-45556-2024(O&M)
Date of Decision: 02.12.2024

AKBAR ...Petitioner
VERSUS
STATE OF HARYANARespondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Talim Hussain, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0026	29.01.2024	P.S. Punhana, District Nuh, Haryana	353, 379-A, 379, 341, 506, 186 and 120-B and Sections 21(1), 21(4) A of Mining Act, 1957

2. Vide order dated 13.09.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned State counsel has filed status report on 29.10.2024 and submits that the petitioner has joined the investigation on 14.11.2024. It is further submitted that JCB Machine did not get

recovered from the petitioner which is alleged to have been stolen by

him on the spot. Since recovery of machine cannot be stated to be a ground to deny the benefit of bail specially in view of the fact that when registration number of JCB machine has not been mentioned in the FIR nor could be found out during the course of investigation. In my considered opinion, no useful purpose would be served by detaining him in custody any more.

5. Keeping in view the above facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 13.09.2024 granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

02.12.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |