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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49200-2024

Date of Decision:- 18.12.2024

BABLU

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gaurav Tyagi, Advocate for petitioner.
Mr. Rupinder Singh Jhand, Addl. A.G. Haryana.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of BNSS, 2023 (previously Section 438 Cr.P.C.) for grant of anticipatory bail in FIR No.269 dated 11.09.2024 under Section 305 of BNS, 2023 registered at Police Station Panipat City, District Panipat.

2. As per facts of the case, Raj Singh Maan gave statement to the police that on 11.09.2024 he came to Panipat on motorcycle of his friend Dinesh and it was parked in the parking lot of Hotel Mid White. He went inside his office. When he came out, he saw his motorcycle was not there. He searched around but could not find it. Some unknown person stole his motorcycle. With these allegations, present FIR has been registered.

3. Present petitioner was granted interim bail vide order dated 01.10.2024. It is pointed out that in pursuance of this order, petitioner has



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already joined investigation. He is falsely implicated by police. Facts of the case were not properly appreciated. Investigating Agency is relying on the disclosure statement of Ashu Kumar and on that basis it is claimed that two other motorcycles are to be recovered from him. In-fact there is no such complaint regarding theft of other motorcycles. He is being falsely implicated and harassed by police. He is ready to join the investigation as and when required.

4. Status report has been filed. It is confirmed that petitioner has joined investigation on 08.11.2024 in compliance to the order dated 01.10.2024 and 28.10.2024 passed by this Court. Petitioner did not cooperate with the investigation and further did not disclose about two other motorcycles. There is reference of disclosure statement of co-accused Ashu Kumar (Annexure R-1) who was arrested along with the stolen motorcycle of the complainant. Ashu claimed that he along with petitioner had stolen two other motorcycles from Bus Stand and Civil Hospital, Panipat. Location of two other motorcycles is in the knowledge of present petitioner. Therefore, he is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. Status report clearly shows that stolen motorcycle involved in the present FIR was recovered from accused Ashu Kumar. Regarding two other motorcycles, no such complaint is annexed with the status report. Present petitioner has already joined investigation and still ready to do so. Therefore, I do not find merits in the arguments advanced by learned counsel representing State. Thus, interim bail already granted in favour of petitioner

vide order dated 01.10.024 is confirmed subject to the conditions detailed



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under Section 482 (2) of BNSS, 2023.

6. Petition is, accordingly, allowed.

(AMARJOT BHATTI)
JUDGE

18.12.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No