

2024:PHHC:050681

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

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CRM-M-60049-2023
Date of Decision : April 15, 2024

ANMOL AND ANR

.....Petitioners

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rishu Mahajan, Advocate
for the petitioners.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. G.S.Ghuman, Advocate
for the complainant.

KULDEEP TIWARI, J. (Oral)

1. On the last date of hearing, i.e. 30.11.2023, the following
order was passed:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioners have sought the concession of anticipatory bail, in case FIR No.203 dated 09.11.2023, under Sections 341/379-B/506/34 of the IPC, registered at P.S. Sadar Jalandhar, District Jalandhar.

2. The allegations, based whereupon the FIR (supra) was registered and which are recorded in paragraph No.2 of the order dated 20.11.2023, passed by the learned Additional Sessions Judge, Jalandhar, whereby, relief of anticipatory bail was declined to the petitioners, are extracted hereinafter:-

“...complainant Rohit son of Stephen has got registered the case with the allegations that on 06.11.2023, he has demanded Creta vehicle of his friend namely Sunny son of

Rakesh bearing registration No. PB-08-FC-0058 and going at about 11:30 AM for his personal work. When complainant reached near village Chettewani towards village Dheena to return vehicle, then at about 5:00 PM in the area of village Pholriwal, Emannual alias Dodi son of Wilson gave signal to stop the vehicle and complainant stopped the vehicle. Emannual alias Dodi was accompanied by Ravi son of Roop Lal, Anmol son of Vijay Kumar of residents of village Dheena and Kelly resident of village Sansarpur armed with sharp edged weapons came there and dragged complainant out of the vehicle and given threats and ultimately he was thrown out of the vehicle and the vehicle was snatched by these persons. After snatching the vehicle, Emannual alias Dodi ran away in the vehicle, whereas his remaining friend also went in another vehicle Indica Car bearing No. PB-08-9194...

3. *Notice of motion for 17.01.2024.*

4. *Mr. Karunesh Kaushal, A.A.G, Punjab, accepts notice on behalf of respondent-State of Punjab.*

5. *Mr. G.S. Ghuman, Advocate, records his appearance on behalf of the complainant, under a memorandum of appearance, instituted before this Court today, and, as prayed for, he is permitted to file a validly executed Vakalatnama in his favour by the complainant, on or before the subsequent date of hearing.*

6. *In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.*

7. *On the subsequent date of hearing, the learned State*

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counsel is directed to file a specific reply, detailing therein, the investigation conducted, as on date, by the investigating agency for ascertaining the veracity behind allegations of snatching of the car, besides it shall also disclose as to in whose possession the said car actually is.”

2. Today, the learned State counsel on instructions imparted to him by the official concerned, submits that the petitioners have already joined the investigation and they are fully co-operating with the investigation process and they are not required for any further custodial investigation.
3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 30.11.2023 is, hereby, made absolute subject to the condition that the petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(KULDEEP TIWARI)
JUDGE

April 15, 2024
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No