



CRM-M-37270-2024

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

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**CRM-M-37270-2024
Decided on : 15.01.2025**

Rajesh Mahajan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Section 379 IPC (Sections 411, 413, 201 and 34 IPC were added later on), in a case arising out of FIR No. 116, dated 03.09.2023, registered at Police Station Division No.2, Police Commissionerate, Jalandhar.

2. On 20.08.2024, following order was passed by the co-ordinate bench of this Court:

“ The petitioner seeks grant of anticipatory bail in respect of FIR No.116 dated 03.09.2023 registered at Police Station Division No.2, Police Commissionerate, Jalandhar, under Section 379 IPC (Sections 411, 413, 201, 34 IPC added later on).

The FIR in question was lodged pursuant to the statement of Loveleen Chopra regarding theft of her car bearing registration



No.PB- 08-CW-1624. During the course of investigation, one Sunny Preet Singh was arrested, who disclosed that he alongwith Sukhjinder Singh @ Sukha @ Gujjar and one Chacha had committed theft of said car and that they had sold the said car to scrap vendor - Raman Kumar. It is further the case of prosecution that aforesaid Raman Kumar was arrested on 01.11.2023, who further made a disclosure statement to the effect that he used to sell the spare parts of the stolen vehicles to petitioner - Bittu Mahajan (also known as Rajesh Mahajan).

On the previous date i.e. 14.08.2024, learned State counsel was directed to furnish information as to whether any raid was conducted at the shop/premises of the petitioner and as to whether any spare parts/stolen parts were recovered. Today, learned State counsel upon instructions has informed that though raid was conducted at the shop of the petitioner, but no spare parts/stolen articles were recovered.

List again on 15.01.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned counsel for the petitioner submits that the petitioner has joined investigation and he is ready to join investigation , if at all required in future.
4. Learned State counsel submits that although the petitioner has joined the investigation under the direction of this Court, his custodial interrogation is not required.
5. Considering the submissions of learned counsel for the parties and totality of facts and circumstances detailed in the present petition, and also the fact that the petitioner has already joined the investigation, this Court

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deems it appropriate to allow the present petition. Accordingly, the ad-interim order dated 20.08.2024 is hereby made absolute

6. However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 482(2) of BNSS.

7. It would be open for the complainant or the State of Punjab/prosecution to move an appropriate application seeking cancellation of bail in the present case with the material supporting thereon, if the concession is misused in any manner by the petitioner.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 15, 2025

Rashmi

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*