



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

CRM-M No.47509 of 2024
Date of decision: 13th January, 2025

Shiva

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Sahni, Advocate for
Mr. P.S. Jammu, Advocate for the petitioner.

Mr. Yuvraj Shandilya, Asst. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 482 BNSS in case FIR No.225 dated 12.06.2023 under Sections 380, 457, 411 of the IPC registered at Police Station Sadar Dabwali, District Sirsa.

2. On the last date of hearing, i.e. 03.10.2024, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“On the last date of hearing, learned counsel for the petitioner had made the following submissions:-

‘Learned counsel for the petitioner inter alia contends that as per allegations levelled in the FIR in question some unknown persons broke into the shop on the fateful night between 11/12.06.2023 and committed theft of five

mobile handsets; the petitioner was neither named in the FIR in question nor any suspicion raised qua his involvement in the crime in question. Learned counsel submits that subsequently after co-accused Sunny was arrested, he suffered a disclosure statement that the recovered mobile handsets had been purchased by him from the petitioner.’

On being put to notice on the previous date of hearing, learned State counsel on instructions submits that the petitioner has no criminal antecedents.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 03.10.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 03.10.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

January 13, 2025
rps

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