

ABHINAV VS STATE OF HARYANA AND OTHERS

Present: Mr. Pradeep Virk, Advocate
for the petitioner.

Mr. Rajinder Kumar, Deputy Advocate General, Haryana
for respondents No.1 and 2.

Ms. Sharmila Sharma, Senior Standing counsel
for the respondent No.3 - UOI.

The instant petition is for grant of anticipatory bail to the petitioner in case FIR No.01 dated 12.01.2023 registered under Sections 3 RP(UP) Act, at Police Station RPF, Rohtak lodged subsequent to FIR No.18 dated 11.01.2023 under Sections 380, 457 of IPC registered at Police Station Meham, District Rohtak.

Learned counsel for the petitioner contends that he has been falsely implicated in the present case. In fact the employees of the Railways as well as the contractors in their staff were involved in the commission of crime and he has been falsely roped in the present case. Even during the course of investigation, 24 persons have been named as accused with specific roles attributed to them. Even the investigation has been completed against all the 24 persons, still the police could not find any incriminating evidence against the present petitioner. He further submits that as per the prosecution, the name of the petitioner had surfaced in the whatsapp chat of one of the accused, namely, Sagar @ Mahakal, whose mobile was seized during the course of investigation. However, the petitioner was not member of the whatsapp group of Sagar @ Mahakal and moreover, Sagar @ Mahakal has already been granted the concession of bail.

Learned State counsel has vehemently opposed the grant of concession of anticipatory bail to the petitioner on the ground that he is the principal accused and his custodial interrogation is required at this stage.

I have heard learned counsel for the parties and perused the record.

Without commenting on the merits of the case, the petitioner is directed to surrender before the Investigating Officer/SHO concerned within a period of one week from today and on his doing so, he shall be admitted to interim bail on furnishing his bail bonds/surety bonds to the satisfaction of the Investigating Officer/SHO concerned.

List on 31.08.2023.

20.07.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE