

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-27835 of 2014 (O&M)
Date of decision : 28.01.2015

Jaswinder Singh @ RinkuPetitioner
versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manoj Dhiman, Advocate for
Mr. I.P.S Kohli, Advocate
for the petitioner.

Mr. Gurveer Sidhu, AAG, Punjab

RITU BAHRI , J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner, in a case arising out of FIR No.76, dated 08.03.2014, registered at Police Station City Kapurthala, Distt. Kapurthala, who has been booked for having committed the offences punishable under Sections 457/380 IPC.

The allegation against the present petitioner, who was working as a tailor in the boutique of the complainant is that he had committed theft in the house of the complainant when he along with his family was out of station and took away gold ornaments and cash to the tune of Rs.1,10,000/-.

However, learned counsel for the petitioner

submits that the petitioner was working as a tailor for the last 09 years in the complainant's boutique but a small dispute arose between the petitioner and the complainant on the pretext of increase in pay, due to which he left the boutique a few days prior to the occurrence.

On notice, a reply dated 13.01.2015 has been filed by DSP, Sub Division Kapurthala on behalf of respondent No. 1 stating therein that after registration of F.I.R, the Investigating Officer went on spot and photos of accused petitioner recorded in the CCTV Camera installed in the house of the complainant, which was taken into possession. The photos were further identified by Mohinder Singh (father of the petitioner) (R-1/T). Statement of Mohinder Singh was also recorded under Section 161 Cr.P.C, which is not signed by any of the witness(R-2/T). The petitioner joined the investigation on 10.10.2014, 03.11.2014 but he failed to get the stolen articles recovered. He was summoned again on 09.12.2014, 16.12.2014 and 06.01.2015 but he failed to join the investigation.

Learned counsel for the State, on instructions from Head Constable Gian Singh states that one Laptop and I pad has been recovered from the house of the parents of the petitioner. The investigation is now pending with regard to

Rs.1,10,000/-, which as per petitioner, the complainant owes to him. At this stage, custodial interrogation of the petitioner is not required.

In view of the totality of the facts and circumstances of the case, order dated 19.08.2014 passed by this Court whereby the ad-interim anticipatory bail was granted to the petitioner is made absolute. The petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions as envisaged under Section 438 (2) Cr.P.C

However, the petitioner is at liberty to file fresh bail bonds after presentation of the challan.

Accordingly, the petition stands disposed of.

28.01.2015
G Arora

(RITU BAHRI)
JUDGE