

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-42567 of 2014
Date of Decision:- 13.01.2015

Satinderjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

**Present: Mr. A.P.S. Deol, Senior Advocate,
with Mr. Daldeep Singh Sukarchakia, Advocate
for the petitioner.**

**Mr. J.S. Sekhon, Assistant Advocate General, Punjab
for the State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of anticipatory bail, in a case registered against him, vide FIR No.157 dated 15.10.2014, on accusation of having committed the offences punishable under Sections 406 and 420 IPC, by the police of Police Station Mataur, District S.A.S. Nagar (Mohali).

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on December 12, 2014: -

“Learned counsel, inter alia, contended that the petitioner is prepared to hand over remaining gas cylinders or price in lieu thereof to the Hindustan Petroleum Corporation Limited (HPCL).

Heard.

Notice of motion be issued to the respondent, returnable for 13.01.2015.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of his arrest, the Arresting Officer would admit him to bail on his furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- to his satisfaction.”

5. At the very outset, on instructions from ASI Sarabjit Singh, learned State Counsel has acknowledged the relevant factual matrix and submitted that the petitioner has already joined the investigation. He is no longer required for further interrogation, at this stage. There is no history of his previous involvement in any other criminal case. All the offences alleged against the accused are triable by the Court of Magistrate. Even, since the prosecution has not yet submitted the final police report (challan) against the accused, so, the final conclusion of trial will naturally take a long time. Moreover, learned counsel has placed on record the receipt and stated at the bar that the petitioner has already paid the amount of remaining gas cylinders to the Hindustan Petroleum Corporation Limited (HPCL).

6. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for anticipatory bail is accepted. The interim bail

already granted to the petitioner, by virtue of indicated order of this Court, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case, as the same has been so recorded for a limited purpose of deciding the present petition for anticipatory bail. At the same time, in case, the petitioner does not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of his bail, in this Court.

January 13, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE