

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-43659 of 2014

Date of Decision: February 18, 2015

Balraj Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.J.S. Dhaliwal, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

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M.M.S. BEDI, J. (ORAL)

Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Harwinder Singh Grewal alleging that the petitioner alongwith others is responsible for the theft and misappropriation of paddy entrusted to M/s Rajoana Agro Industries.

On the instructions of HC Chamkaur Singh it has been informed that the petitioner has not been challaned and his name has been kept in Column No.2 as he could not be arrested but the role attributed to him is that he arranged the Trucks which were used for carrying the rice

from the above said rice shelling unit and were unloaded at difference places. The name of the petitioner appears to have been disclosed by his co-accused. The admissibility and relevance of said statements made by co-accused will certainly be a moot point.

Pursuant to the interim order, the petitioner has joined investigation.

In view of petitioner having joined investigation and prosecution agency having not till date made up its mind for presentation of challan against the petitioner, the petition is allowed and it is ordered that in case of arrest of the petitioner he will be released on bail to the satisfaction of the arresting officer subject to all the conditions under Section 438 (2) Cr.P.C. This order will remain operative till supplementary challan is presented against the petitioner. In case of supplementary challan being presented against the petitioner, the petitioner would be required to furnish bail bonds/ surety bonds to the satisfaction of the Court concerned.

February 18, 2015
sanjay

(M.M.S.BEDI)
JUDGE