

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.209

CRM-M-12431-2016
Date of decision : July 25, 2016

Bhupinder Singh

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.Ashok Giri, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
on behalf of the respondent.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Ajay Tewari, J (Oral)

This is a petition under Section 438 of Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 24 dated 07.03.2016, registered under Section 379 of IPC, Police Station Sadar Rupnagar, District Rupnagar.

Learned counsel for the petitioner has argued that as per the allegations when the Forest officer was on inspection, he found a trolley filled with stolen wood in the jungle and that trolley was identified as belonging to the petitioner by the Sarpanch. He further states that the trolley does not belong to the petitioner.

Learned Addl. A.G. On instruction from SI Khushhal Singh states

that the trolley is still lying in police custody but apart from the statement of Sarpanch there is no other evidence that the trolley belongs to the petitioner.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the present petitioner and consequently the order dated 11.04.2016 is made absolute subject to the compliance of provision of under Section 438 (2) of Cr.P.C. Petition stands allowed.

However, in case the petitioner or any close relative seeks return of the trolley on sapurdari respondents would be at liberty to file a petition for cancellation of bail.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

July 25, 2016
anuradha

(AJAY TEWARI)
JUDGE