

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M No.13313 of 2016 (O&M)

Date of Decision: 28.05.2016

Lakhvir Singh @ Gora

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kapil Khanna, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by A.S.I. Sewak Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of anticipatory bail under Section 438 Cr.P.C. to the petitioner/accused-Lakhvir Singh @ Gora in case FIR No.32 dated 03.04.2016, under Sections 379/411 of the Indian Penal Code, registered with Police Station Badhni Kalan, Moga.

As per the allegations, the petitioner along with three other co-accused have stolen three goats of the complainant Kuldeep Khan and carried them away on a vehicle-*Chhota Hathi*. On disclosure statement of co-accused Gopi Singh @ Monu, the goats have been recovered.

The role attributed to the petitioner is being the owner and driver of the said vehicle-*Chotta Hathi* used in the offence.

It was submitted that the petitioner has been falsely implicated and eye witness has not given out any number of the vehicle.

It was contended that petitioner does not own any vehicle of such nature.

Learned State Counsel, assisted by ASI Sewak Singh, submits that although the petitioner has joined the investigation, however, is yet to get recovered the vehicle involved in the offence.

Keeping in view the above, no case for grant of anticipatory bail to the petitioner is made out as the custodial interrogation of the petitioner would be required for completing the chain of investigation.

Accordingly, the present petition stands dismissed.

May 28, 2016

Gagan

**(JASWANT SINGH)
JUDGE**