

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

**Criminal Misc.No.M-19469 of 2016 (O&M)
Date of Decision : 26th October, 2016**

Balkar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. T.T.P.Singh, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.131 dated 11.10.2010, registered at Police Station Cantonment, Amritsar City, under Sections 420, 120-B IPC and Section 7 of the Essential Commodities Act, 1955.

On 01.06.2016, this Court passed the following order:-

“Prayer is for grant of anticipatory bail to accused petitioner Balkar Singh in case FIR No.131 dated 11.10.2010 under Section 420, 120-B IPC and Section 7 of the Essential Commodities Act, 1955, PS Cantonment, Amritsar City.

On a secret information a Canter transporting 66 underweight gas cylinders was intercepted. It is alleged that proprietor-Didar Gas Agency in connivance with its employees was indulging in theft of cooking gas from the gas cylinders

Criminal Misc.No.M-19469 of 2016 (O&M)

and filling up the same in empty gas cylinders and thus selling underweight cylinders.

It is contended that petitioner is driver of the private vehicle of the proprietor and as such has nothing to do with any of the transactions of gas agency. After a period of almost 5½ years the petitioner is sought to be arrested.

Notice of motion for 30.08.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall appear before the I.O., as and when called upon the investigation and shall also be bound by all the conditions stipulated in Section 438 (2) Cr.P.C.”

Learned State Counsel, on instructions from ASI Narinder Singh, has stated that the petitioner has joined the investigation and he is not required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case. Ordered accordingly.

Resultantly, the interim order dated 01.06.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(AJAY TEWARI)
JUDGE

26th October, 2016
mamta

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No