

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

CRM-M-24910-2016 (O&M)

Date of decision : 08.09.2016

Puran Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Krishan Chand.

JITENDRA CHAUHAN, J. (Oral)

The petitioner has approached this Court under Section 438 of the Code of Criminal Procedure (for short, 'Cr.P.C.') for grant of pre-arrest bail in case FIR No..41 dated 27.04.2016, registered under Section 406 of the Indian Penal Code, at Police Station Sadar Sri Muktsar Sahib.

On 25.07.2016, this Court passed the following order:-

“Contends that co-sapurdar Jasbir Singh is the owner of the truck in question who had further sold it to scrap dealer. The petitioner being employee of co-accused Jasbir Singh accompanied the Court and being illiterate did not know the repercussions of the act done by him. The co-accused, Jasbir Singh is in custody.

Notice of motion for 08.09.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1.That he shall make himself available for interrogation by a police officer as and when required;

2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3. That he shall not leave India without prior permission of the Court.”

Learned counsel for the petitioner contends that the main accused, namely, Jasbir Singh, is already in custody. The petitioner has joined the investigation in terms of the order passed by this Court.

On the other hand, learned State counsel has opposed the instant bail petition. On instructions, she submits that though the petitioner has joined the investigation but he is not cooperating.

Heard.

Keeping in view the fact that the petitioner is not the owner of the truck in question, the same has been sold by co-accused Jasbir Singh to a scrap dealer, and he has repeatedly joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 25.07.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed accordingly.

08.09.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No