

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

CRM-M-37635-2016

Date of Decision : 15.12.2016

Harjeet Singh

.....Petitioner

versus

State of Punjab

.....Respondent

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

Present: Mr. Vikram Singh, Advocate,
for the petitioner.

Ms. Harpreet Kaur Athwal, Dy. A.G., Punjab.

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

The petitioner seeks the concession of pre-arrest bail in a case registered at the instance of the complainant, namely Rakesh Kumar, alleging that on 09.01.2016, the tractor loaded with LPG, given to Mohan Singh, was diverted and did not reach the destination and from the tanker the quantity of gas was found to have been replaced by water. On the allegations of misappropriation, the driver of the truck, Mohan Singh, was arrested. In the custody, Mohan Singh is alleged to have made a confessional statement that he had committed the theft of gas and petroleum, in connivance with the petitioner, who had accompanied him on the date of occurrence. The allegation against the petitioner is that he had given some intoxicant to the co-accused, Mohan Singh, and directed

him to unload the gas at an unknown place and also given him a sum of Rs. 20,000/-.

With the assistance of learned State counsel, I have gone through the police file and found that besides the statement of the co-accused, there is no other evidence available on the file, regarding the culpability of the petitioner, which will certainly be a debatable issue during course of the trial. The petitioner on the basis of interim order dated 21.10.2016, has joined the investigation.

In view of the above, the petition is allowed. It is ordered that in case of arrest of the petitioner, he shall be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the arresting officer subject to all the conditions under Section 438 (2) Cr.P.C.

(M.M.S. BEDI)
JUDGE

December 15, 2016
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No