

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

CRM-M -6450 of 2016 (O&M)

Date of decision: 05.09.2016

Jagir Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Reet Kamal Handa, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
assisted by ASI Vakeel Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.09, dated 04.01.2016, registered under Sections 379, 406, 420, 201 read with Section 34 IPC, at Police Station Madhuban, District Karnal.

On 02.03.2016, this Court had passed the following order:-

“Petitioner seeks concession of pre-arrest bail in case FIR No.9 dated 04.01.2016, under Sections 379/406/420/201/34 IPC, registered at Police Station Madhuban, District Karnal.

FIR has been registered on the complaint of Jai Parkash Goyal, President, D.D. International Private Limited Company, Karnal and allegations are that while rice was being transported in two trucks from Tarn Taran to

Karnal, theft of 820 kgs. of rice has been committed by syphoning out 810 kgs. of rice from 105 bags.

Counsel would inter alia contend that the petitioner is the owner of one of the trucks in question i.e. bearing registration No.HR-55-B-7477 and which was being driven by Sukhwinder Singh driver and as such the petitioner cannot be held liable for any alleged act of omission and commission by the driver of the vehicle in question.

Notice of motion, returnable on 25.05.2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 02.03.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 02.03.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Karnal.

The petition stands allowed.

05.09.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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