

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

209

CRM-M-11402 of 2017

Date of Decision: May 19, 2017

Kamal Chopra and another

....Petitioners

vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. C.S. Bakshi, Advocate
for the petitioners.

Mr. A.S. Kaler, DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in F.I.R. No.03 dated 26.01.2017 under sections 379 and 420 of the Indian Penal Code, registered at Police Station City Banga, S.B.S. Nagar.

On 03.04.2017, while issuing notice of motion, the following order was passed by this Court:-

“Petitioners seek concession of anticipatory bail in case FIR No.3, dated 26.01.2017, under Sections 379 and 420 IPC, registered at Police Station City Banga, District SBS Nagar.

Allegations in a nutshell against the petitioners are that they have committed theft of 180 bags (each weighing 50 kgs) of custom milled rice from the godowns of Punjab State Warehousing Corporation, Dosanjh Khurd.

Inter alia contended that a physical stock verification was carried out by a duly constituted committee comprising of officials of the Punjab State Warehousing Corporation as also of the Food

Corporation of India and in such exercise of physical verification, there was no finding recorded as regards the shortage in the stocks.

Notice of motion, returnable for 19.05.2017.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

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

Learned State counsel upon instructions from ASI Jaswinder Singh would apprise the Court that the petitioners have since joined investigation and are not required for any custodial interrogation.

In the light of such stand taken on behalf of the State, prayer made in the present petition, is accepted.

The order dated 03.04.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.05.2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No