

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Date of Decision: 12.01.2017

1. CRM-M-33156-2016

Kailash Garg and another

... Petitioners

Versus

State of Punjab

... Respondent

AND

2. CRM-M-34401-2016

Vicky Anand

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.K.Handa, Advocate,
for the petitioners in both the petitions.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-33156-2016, filed by petitioners-Kailash Garg and Deepak Kumar and CRM-M-34401-2016, filed by petitioner-Vicky Anand, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.233 dated 13.10.2014, registered at Police Station Sidhwan Bet, Ludhiana Rural, District Ludhiana, under Sections 379, 411, 380 and 457 of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners as well as

learned State counsel and have gone through the record.

From the record, I find that FIR, in the present case was registered on the statement of complainant-Daljinder Singh. In his statement, he stated that on 10.10.2014, when he visited his fields, he found that transformer 6.3 KV was lying on the ground and some unknown persons had committed the theft of oil and brass from the transformer. The petitioners have not been named in the FIR.

In pursuance of the interim orders dated 20.09.2016 passed in CRM-M-33156-2016 and dated 27.09.2016 passed in CRM-M-34401-2016, the petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from the present petitioners. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The orders dated 20.09.2016 passed in CRM-M-33156-2016 and dated 27.09.2016 passed in CRM-M-34401-2016, granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.PC.

12.01.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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