

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

CRM-M -45540 of 2016 (O&M)

Date of decision: 14.03.2017

Harmesh Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vipul Dharmani, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

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.29 dated 02.03.2016, registered under Section 379 of IPC, at Police Station Kiratpur Sahib, District Ropar.

On 21.12.2016, this Court had passed the following order:-

“Learned counsel for the petitioner states that as per the FIR, only two pipes were stolen which were of the length of 20 feet each and even those pipes have already been recovered. Therefore, no recovery is to be effected from the petitioner.

Notice of motion for 14.03.2017.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner

shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 21.12.2016, the petitioner has joined the investigation. The recovery stands effected from co-accused.

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 21.12.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

14.03.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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