

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4997 of 2017 (O&M)

Date of Decision: 08.05.2017

Giany Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.R. Punia, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.61 dated 2.8.2015 under sections 457 and 380 I.P.C, registered at Police Station, Kot Dharmu, District Mansa.

On 16.2.2017, while issuing notice of motion, the following order was passed by this Court:-

“Petitioner seeks concession of pre-arrest bail in case FIR No.61 dated 02.08.2015, under Sections 457 and 380 of IPC, registered at Police Station Kot Dharmu, District Mansa.

FIR has been registered on the basis of complaint made by an official of Markfed as regards theft having taken place on the intervening night of 17/18.07.2015 and in which 46 bags of wheat were stolen.

Counsel argues that the FIR was lodged against unidentified persons. Further more the allegations even otherwise are vague as initially the mater was reported with regard to theft of 46 bags but subsequently the investigating agency having called upon the Markfed officials to check the stocks, the figure of bags stolen was raised to 188 bags.

Notice of motion, returnable for 08.05.2017.

In the meanwhile, petitioner is directed to appear before 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.”

Learned State counsel upon instructions from H.C Jagroop Singh would apprise the Court that the petitioner has since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 16.2.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

08.05.2017
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Whether speaking/reasoned: Yes
Whether Reportable: No