

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

**CRM-M No.12138 of 2018  
Decided on: 10.09.2018**

Shanker Gupta @ Lal Man Gupta

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

**Present :** Mr. Naresh Kalia, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioner prays for grant of anticipatory bail in FIR No.197 dated 30.12.2015, registered under Sections 457, 380 IPC at Police Station Dehlon, District Ludhiana City.

The operative part of the order dated 16.05.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

*“...Counsel for the petitioner has submitted that the FIR was registered against unknown persons and the petitioner was arrested in another case i.e. FIR No.5 dated 18.01.2016 registered under Sections 379 and 411 IPC, in which the police has recorded a disclosure statement that the petitioner has committed the theft in the shop of the complainant – Dharampal along with his co-accused namely Gurnam Singh and Harbans Singh, however, the petitioner was never arrested in the present FIR.*

*Counsel for the petitioner has further submitted that*

*the co-accused of the petitioner namely Gurnam Singh and Harbans Singh have already been granted the concession of anticipatory bail vide order dated 20.01.2017 passed in CRM-M No.37977 of 2016.*

*Counsel for the State, on instructions from ASI Saudagar Ali, has prayed that the petitioner be directed to join the investigation....”*

Counsel for the petitioner has submitted that, in pursuance to the order dated 16.05.2018, the petitioner has already appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from HC Malkiat Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 16.05.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**10.09.2018**  
*yakub*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable:       | Yes/No |