

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

**CRM-M-15200-2018
Date of Decision: 07.08.2018**

Ram Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rajesh Pal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner, in the event of arrest, in FIR No. 36 dated 21.03.2018, registered under Section 379 IPC at Police Station Sadar Kurali, District S.A.S. Nagar (Mohali).

On 23.04.2018, the following order was passed by this Court:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.36 dated 21.03.2018 under Section 379 IPC, registered at Police Station Sadar Kurali, District SAS Nagar (Mohali).

Learned counsel for the petitioner submits that as per the allegations in the FIR, petitioner was found in possession of stolen khair wood at his wood kiln. Counsel for the petitioner further submits that the petitioner is dealing in the business of sale and purchase of wood and in fact, he has purchased the wood from one Lekh Raj son of Bachna Ram, who has sworn an affidavit (Annexure P1) that he is owner of the land situated in Village Bardar, District Roop Nagar and had obtained the permission to cut the khair trees and had sold the same to petitioner Ram Singh. It is further submitted that even from the allegations in the FIR, offence under Section 379 IPC is not made out and it will be a debatable issue whether for keeping the stolen property, offence under Section 411 IPC is made out

or under Section 379 IPC. It is also submitted that name of owner of the wood is not given and even the description of the land, from where the wood has been cut, is not given.

Learned State counsel, on instructions from HC Parminder Singh, submits that the petitioner be directed to joined the investigation.

List again on 07.08.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer within a period of 10 days to join the investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions: -

1. He shall make himself available for interrogation by a police officer as and when required;
2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
3. He shall not leave India without previous permission of the Court.”

Learned counsel for the petitioner submits that in pursuance to the order dated 23.04.2018, the petitioner has joined the investigation and co-operating with the Investigating Officer. This fact is not disputed by learned State counsel, on instructions from HC Parminder Singh.

In view of the above, without commenting on the merits of the case, this petition is allowed and order dated 23.04.2018, granting interim bail to the petitioner, is made absolute subject to the conditions laid down in Section 438, Sub Section (2) Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

August 07, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*