

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-19941-2018 (O&M)

Date of decision: 09.08.2018

Balwinder Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Mehta, Advocate  
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

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ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.2 dated 06.01.2018 under Sections 380/411 IPC, registered at Police Station Mukandpur, District SBS Nagar.

On 11.05.2018, following order was passed: -

*“Counsel for the petitioners has submitted that the FIR was registered on 06.01.2018 with allegation that at the night 3767 liters of diesel was stolen from the diesel tank by some unknown persons and after a gap of about 3½ months, the petitioners are sought to be involved in the case on the basis of a statement given by one Raj Kumar that he has overheard the petitioners, while talking to each other that they have committed the theft in question. It is further submitted that the petitioners are father and son and are living in Gurdaspur and the statement of Raj Kumar is not admissible in the present case.*

*Notice of motion for 09.08.2018.*

*In the meantime, the petitioners are directed to join*

*investigation within a period of 10 days and they shall be released on interim bail subject to the following conditions:-*

- 1. They shall make themselves available for interrogation by a police officer as and when required;*
- 2. They 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; and*
- 3. They shall not leave India without previous permission of the Court.”*

Learned counsel for the petitioners submits that in pursuance of the aforesaid order dated 11.05.2018, petitioners have joined the investigation and are not required for any further investigation.

Learned State counsel, on instructions from ASI Duni Chand, has not disputed the factual position and states that the petitioners are no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 11.05.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

09.08.2018

*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No