

CRM-M-23385-2018

Date of decision: 31.05.2018

Pritpal Singh

...Petitioner

Vs.

U.T. of Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE P.B.BAJANTHRIPresent: Mr. Gaurav Gupta, Advocate
for the petitioner.Mr. Amit Kumar Goyal, APP. U.T., Chandigarh
Assisted by ASI Rajender Kumar. P.S., Manimajra.

P.B.BAJANTHRI, J.(ORAL)

In the present petition, petitioner seeks anticipatory bail under the provision of Section 438 Cr.P.C. in case FIR No. 217, dated 12.05.2018 under Section 380 of Indian Penal Code at Police Station, Manimajra, Chandigarh.

2. There was a complaint from one Manish S/o Sukhdev Chander, who is residing in a rented house at 1119/1 Govindpura, Mani Majra, Chandigarh. The complaint is that somebody has taken away his laptop from the window when his house was locked. Arising out of this complaint, one SHO Ranjit Singh has taken some CCTV footage where petitioner was found nearby the house of Manish. On this basis, petitioner has been implicated.

3. Perusal of the complaint, it is evident that no particular time has been mentioned. Even perusal of photograph taken by police, it is not evident which refers to whether the petitioner footage is in CCTV with reference to nearby Manish's residence or not. Even site plan has not been

prepared by the police before coming to the conclusion that petitioner is involved in stealing of laptop. Even on earlier occasion, petitioner was implicated in another FIR for the stealing of laptop by the investigating Officer/Sub-Inspector Ranjit Singh, who was working at Police Station, Sector-7, Chandigarh at the relevant time.

4. Learned State counsel failed to apprise the fact, why the same SHO is registering case against him at different Police Station.

5. In view of these facts and circumstances, the petitioner is directed to appear before the Investigating Officer and to join the investigation.

6. In the event of arrest, the petitioner will be released on interim bail on his furnishing bail bond to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and they will bound by the conditions envisaged under Section 438(2) Cr.P.C.

7. Petition stands allowed.

(P. B. BAJANTHRI)
JUDGE

31.05.2018
hemlata

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No