

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

Crl. Misc. No.M-25648 of 2018 (O&M)

Date of Decision: June 18, 2018

Ajmer Singh

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Sandhu, Advocate
for the petitioner (s).

Mr. Amit Mehta, Sr. D.A.G. Punjab.

Mr. K.B.S. Mann, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.68 dated 05.05.2018 registered for the offence punishable under Section 379 of Indian Penal Code, at Police Station Lambi, District Sri Muktsar Sahib.

Heard.

Learned counsel for the petitioner submits that as per the allegations of the complainant, three persons came on motorcycle and out of them two Yadwinder Singh @ Yaddu and Manpreet Singh @ Goppi have stolen the files containing the agreements from car of complainant. Agreement of complainant with the petitioner has already been recovered.

So far as the agreement with Pippal Singh and Major Singh is concerned,

complainant had again entered into agreement with them on 08.05.2018, copy of which has been placed on file. Yadwinder Singh and Manpreet Singh, who are visible in CCTV footage, have already been allowed anticipatory bail by the Court of Sessions.

Learned State counsel assisted by learned counsel for the complainant submits that one agreement, which was stolen, has been recovered from the petitioner while other agreement has not been traced so far. Petitioner was accompanying Yadwinder and Manpreet, who as per instructions from ASI Gursewak Singh, have been allowed anticipatory bail.

Keeping in view the above submissions of learned counsel for the petitioner, learned State counsel assisted by learned counsel for complainant and the fact that co-accused have already been allowed anticipatory bail, this petition is allowed. Petitioner Ajmer Singh is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on anticipatory bail, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of bail allowed to him.

It is, however, made clear that in the event of petitioner not surrendering before the Investigating Officer within two weeks, the order allowing bail to him shall stand withdrawn automatically.

June 18, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No