

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-26375-2018

Date of Decision: 08.08.2018

Vicky and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Avtar Singh Syan, Advocate for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J.

Petitioners Vicky and Prince have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.117 dated 18.05.2018, registered at Police Station Division No.6, Ludhiana, District Ludhiana, under Sections 420, 407 and 120-B of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

As per the allegation in the FIR, Vicky and Prince are brothers and Vicky is stated to be owner of the truck. Further as per the allegation, 710 bags of pesticides or insecticides were loaded in the truck for delivering at Patna, but only 399 bags had been delivered there.

Learned counsel for the petitioners stated that firstly, it is a civil dispute, secondly, as per the direction of the complainant, the

remaining 311 bags were got loaded at Khana in another truck, which was apprehended on the same day at Patna with illicit liquour.

In pursuance of the interim order dated 20.06.2018, passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. No useful purpose would be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 20.06.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon by the police and shall abide by the conditions of Section 438 (2) Cr.P.C.

08.08.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No