

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-2980-2018(O&M)
Date of Decision: 01.03.2018

Vinod Kumar

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Nimrata Kaur, Advocate for
Mr. Sunil Agnihotri, Advocate for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.68 dated 24.12.2017 under sections 454, 380 and 411 I.P.C, registered at Police Station, Talwara, District Hoshiarpur.

On 24.1.2018, while issuing notice of motion, the following order was passed by this Court:-

“Petitioner seeks concession of pre-arrest bail in case FIR No.68 dated 24.12.2017, under Sections 454, 380 and 411 IPC, registered at Police Station Talwara, District Hoshiarpur.

Counsel would contend that the allegations are essentially against Santokh Singh who is stated to have committed theft of gold ornaments from the house of the complainant.

Present petitioner is sought to be implicated on the basis that such gold ornaments had been sold by Santokh Singh to him.

It is argued that it was not within the knowledge of the present petitioner as regards the gold ornaments to be

stolen and he had no role insofar as the theft of the same is concerned.

Notice of motion, returnable for 01.03.2018.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

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

Learned State counsel upon instructions from ASI Rakesh Kumar would apprise the Court that the petitioner has since joined investigation.

The observations made by this Court in the notice of motion order have gone un rebutted.

Learned State counsel further informs the Court that the co-accused namely Santokh Singh and who is alleged to have committed the theft of gold ornaments has since been arrested.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 24.1.2018, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

01.03.2018
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No