

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-29887-2018
Date of decision: 26.07.2018**

Farid and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G. S. Chahal, Advocate
for the petitioners.

Mr. M. S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in case FIR No. 199 dated 24.04.2018, registered under Section 381 of the IPC at Police Station Salem Tabri, District Ludhiana.

Learned counsel for the petitioners submits that as per the allegations in the FIR, the complainant has stated that he and his brother Suresh Kaushik are running a hosiery in the name and style of M/s S. K. Enterprises and they have employed their nephew Prince Kaushik as a Supervisor. It is further stated that the complainant and his brother are in the business of manufacturing T-shirts, Pyjamas, Sweaters etc. and they have stored the manufactured goods at a place where the aforesaid Prince Kaushik was appointed as a Supervisor. On noticing that a huge stock has been removed from the premises of the complainant, it came to the notice that Prince Kaushik, in conspiracy with Murshid, Farid (petitioner No. 1), Bhura (petitioner No. 2) and Salim, have stolen the articles as detailed in the FIR. Learned counsel for the petitioners further submits that in the FIR,

allegations are against the nephew of the complainant and the petitioners have been falsely implicated.

Learned counsel for the petitioners further submits that one of the co-accused of the petitioners, namely Murshid, was arrested and was granted regular bail vide order dated 25.05.2018, passed by the Additional Sessions Judge, Ludhiana.

Learned State counsel, on instructions from HC Gurdeep Singh, has opposed the grant of anticipatory bail to the petitioners on the ground that some of the stolen articles have already been recovered from Murshid and custodial interrogation of the petitioners are required as there are direct allegations of theft against the present petitioners and the petitioners have been duly named by the complainant in the FIR.

After hearing learned counsel for the parties, I find no ground to grant anticipatory bail to the petitioners because as per the allegations in the FIR, the petitioners, in conspiracy with other accused including Murshid from whom some of the recoveries have already been effected, have committed the offence of theft which requires custodial interrogation.

In view of above, without commenting upon the merits of the case, this petition is dismissed.

July 26, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No