

CRM-M-31306-2018

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

CRM-M-31306-2018

Date of Decision:14.09.2018

Tara Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Abhijeet P.S.Chaudhary, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Gagandeep Singh Chhina, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.01 dated 07.01.2018, registered at Police Station NRI, District Police Commissionerate Ludhiana, under Section 380 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through her counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

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From the record, I find that the present petitioner and complainant are real brother and sister. As per the allegations in the FIR, the present petitioner has stolen American blankets, quilts, mattress, utensils of silver, copper and lead, imported dinner sets etc., belonging to the complainant.

In pursuance of the interim order dated 26.07.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him 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 26.07.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

14.09.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No