

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

CRM-M-31688-2018 (O&M)

Date of Decision:- 22.10.2018

Sunny

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karan Bhardwaj, Advocate, for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.27 dated 6.2.2018, under Sections 457, 380 IPC, Police Station Jamalpur, Ludhiana.

The FIR was registered at the instance of Pritpal Singh. The allegations are broadly to the effect that 49 mobile phones had been stolen from his shop on the night between 3.2.2018 and 4.2.2018. Subsequently, one Sherjit Singh and Angrej Singh were arrested in connection with FIR No.34 dated 11.2.2018, Police Station Jamalpur, Ludhiana from whom 18 mobile phones were recovered which were in fact found to be the ones stolen from the shop of the complainant. It is further the case of the prosecution that during the course of their interrogation they suffered

disclosure statements to the effect that they i.e. Angrej Singh, Sherjit Singh and the present petitioner had together committed the theft of 49 mobile phones.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case solely on the statement of disclosure statement of co-accused which cannot be said to be a very reliable piece of evidence. It has further been submitted that in any case the petitioner has since joined investigation and that in these circumstances he may be granted anticipatory bail.

On the other hand learned State counsel while opposing the present petition, upon instructions from ASI Rajinder Singh has however stated that the petitioner has since joined investigation.

In view of the facts and circumstances of the case and bearing in mind the nature of offence alleged and also that the petitioner has since joined investigation, in my opinion, it is a fit case for grant of anticipatory bail. The petition is as such accepted and interim directions issued vide order dated 27.7.2018 are made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when directed and would fully cooperate with the investigation.

October 22, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No