

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

CRM-M-34421-2017 (O&M)

Date of decision:06.03.2018

Ankush Sharma

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks concession of pre-arrest bail in case FIR No122, dated 24.06.2017, under Sections 379B/411/34/379 IPC, registered at Police Station Division No.4, District Ludhiana.

Counsel for the parties have been heard.

FIR came to be registered on the basis of secret information that the present petitioner his co-accused, Sukhwinder Singh @ Sonu and Gurpal Singh are habitual of committing snatching and are coming towards Ludhiana from a particular village on a motorcycle.

As per prosecution version, a naka having been laid based on secret information, co-accused, Sukhwinder Singh and Gurpal Singh were apprehended on the spot and the present petitioner is alleged to have fled away.

From co-accused, Sukhwinder Singh @ Sonu and Gurpal Singh, four motorcycles have been recovered.

On 28.09.2017, this Court while granting interim protection to

the petitioner has passed the following orders:

“Present petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in FIR No.122, dated 24.06.2017, under Sections 379B/411/34/379 IPC, registered at Police Station Division No.4, District Ludhiana.

Learned counsel for the petitioner contended that the petitioner is ready to join the investigation.

Adjourned to 15.12.2017.

Meanwhile, petitioner is directed to join investigation. In the event of arrest, petitioner shall be released on interim bail to the satisfaction of the Arresting Officer. He shall join investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from HC Satish Kumar informs the Court that the petitioner has since joined investigation but a mobile phone is yet to be recovered.

It is, however, conceded that the petitioner is not involved in any other case carrying similar allegations.

In the considered view of this Court, the petitioner having already joined investigation, his custodial interrogation is not warranted.

Petition is allowed. Order dated 28.09.2017 passed by this Court is made absolute.

Disposed of.

06.03.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |