

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

CRM-M-35995-2018 (O&M)

Date of Decision:- 13.11.2018

Manjinder Singh @ Mannu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Aarti Kaur, Advocate for
Mr. Rahul Bhargava, Advocate, for the petitioner.

Mr. A.S.Sandhu, Addl. A.G. Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.104 dated 5.12.2017, under Sections 379, 411 IPC, Police Station Sadar, Gurdaspur.

The allegations, in nutshell, are that on 5.12.2017 when the police was on patrolling, one query was received in the Police Control Room that one truck bearing registration No. PB-11-AT-7457 loaded with Ghee has been stolen. Pursuant to receipt of said information, barricading was raised and the aforesaid truck was apprehended. However, the driver as well as other occupants of the truck are alleged to have fled away from the spot under the cover of darkness.

It is further the case of prosecution that subsequently one Rashpal Singh was arrested in connection with theft of another truck and who upon interrogation disclosed that he along with the present petitioner

had stolen the truck involved in the present FIR. The said truck, which had been recovered in the present case was found to be loaded with 1210 tins of Ghee worth ₹15,66,479/-.

Notice of this petition was issued to the respondent/State.

Learned counsel for the petitioner has submitted that he has been falsely implicated in the case solely on the statement of one Rashpal Singh and that in any case the petitioner was never arrested at the spot and has already joined investigation.

On the other hand, learned State counsel has submitted that since Rashpal Singh has categorically stated about involvement of the present petitioner, therefore, his complicity in the present case is evident.

Having considered the rival submissions and bearing in mind the fact that the petitioner was never arrested at the spot and is sought to be implicated on the basis of statement of one Rashpal Singh, who was arrested in connection with some other case and also that the petitioner has already 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 21.8.2018 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.

November 13, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No