

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.36797 of 2018  
Decided on: 19.12.2018

Amit Kumar

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

**Present :** Ms. Anu Garg, Advocate  
for Mr. Sandeep Goyat, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioner prays for grant of anticipatory bail in FIR No.106 dated 27.08.2015, registered under Sections 379, 120-B and 411 of the Indian Penal Code (in short 'IPC') at Police Station Bajakhana, District Faridkot.

The operative part of the order dated 21.09.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

*“...Learned counsel for the petitioner submits that as per allegations in the FIR, a complaint was registered by Security In charge of Ambuja Cement Factory, Bathinda on 20.08.2015 that 500 bags of cement were loaded through K.B.Road Lines for delivering the same at Hisar, whereas, the truck did not reach the destination and 400 bags were delivered at Bagha Purana, Punjab, and only 100 bags were found in the truck, when it was checked.*

*Learned counsel for the petitioner submits that in*

*fact the petitioner had no connection with K.B.Road Lines to whom the cement was entrusted for delivery at Hisar and the petitioner is only a depot in-charge of M/s Ambuja Cement Firm, which is run by cousin of the petitioner in the name of M/s Sidhi Vinayak Tradings and he has been wrongly named in the FIR. He further submits that the truck driver was arrested and 100 bags of cement were recovered and recovery of remaining 400 bags of cement, if any, is to be effected from the place where it was unloaded in Bagha Purana, which is owned by co-accused Raj Kumar Goel.*

*Learned State counsel, on instructions from HC Jagir Singh, submits that the petitioner be directed to join the investigation.*

*List again on 19.12.2018....”*

Counsel for the petitioner has submitted that, in pursuance to the order dated 21.09.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from HC Jagsir Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 21.09.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**19.12.2018**  
*yakub*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable:       | Yes/No |