

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

**CRM-M No.45257 of 2018 (O&M)
Date of Decision: 21.11.2018**

Chanan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Amaninder Preet, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioner in case FIR No.113 dated 25.09.2018, under Sections 379, 430, 427 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act, 1984, registered at Police Station Arniwala, District Fazilka.

On the previous date of hearing, this Court passed the following order:-

“ In the present petition, petitioner has sought for anticipatory under Section 438 Cr.P.C. in case FIR No. 113 dated 25.09.2018, under Sections 379, 430, 427 IPC and Section 3 of Prevention of Damage to Public Property, Act, 1984, registered at Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner submitted that petitioner has been implicated for the offence with reference to on video clipping to the extent of petitioner is stated to have placed pipes in the Gang Canal illegally. In this regard, Executive Engineer, Eastern Canal, Ferozepur recovered some broken pieces of pipes. Learned counsel for the petitioner further submitted that petitioner is land-owner and he has got 4 motor connections in his land which are legal. Therefore, question of laying illegal pipes for the purpose of

irrigation are untrue. Learned counsel further submitted that petitioner is aged about 71 years. Having regard to the above facts and circumstances, petitioner is entitled to anticipatory bail.

Notice of motion for 21.11.2018.

In the meanwhile, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on pre-arrest anticipatory bail by the Investigating Officer on his furnishing bail bonds / sureties to his satisfaction subject to conditions as envisaged under Section 438(2) Cr.P.C. ”

Today, learned State Counsel, on instructions from ASI Chanan Singh, submits that petitioner has joined the investigation in terms of order dated 11.10.2018 and his custodial interrogation is no longer required.

In view of above, the interim order dated 11.10.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

November 21, 2018

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No