

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

Crl. Misc. M-46757 of 2017 (O&M)
Date of Decision: March 14, 2018

Tavinder Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Naveen Bawa, Advocate
for the petitioners.

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

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioners in FIR No.416 dated 01.10.2017, under Sections 294, 323, 34, 379-B, 427, 506, 509, 148, 149 of the Indian Penal Code, registered at Police Station Basti Jodhewal, District Ludhiana.

Learned counsel for the petitioners contends that the petitioners are falsely implicated in the present case and on the direction of this Court, have joined the investigation. It is also contended that nothing is to be recovered from them.

Learned State counsel, on instructions from HC Vijay Kumar, submits that though petitioners have joined the investigation, however, part

of the gold chain which was snatched, is yet to be recovered.

I have heard learned counsel for the parties.

There are plethora of judgments to the effect that bail should not be denied only on account of the fact that some of the recoveries have not been made.

In view of the facts that the petitioners have joined the investigation, at this stage, without commenting on the merits of the case, the petition is allowed and order dated 08.12.2017 granting interim bail to the petitioners is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

March 14, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No