

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision-27.11.2018

1. CRM-M-47842-2018

Mohd.Salman

....Petitioner

Vs.

State of Punjab

...Respondent

2. CRM-M-48940-2018

Naushad Ali @ Vasik

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.G.S.Verma, Advocate for the petitioner
in CRM-M-47842-2018.

Mr. Rishu Mahajan, Advocate for the petitioner
in CRM-M-48940-2018.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

This order of mine shall dispose off the above mentioned two petitions filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioners, namely, Mohd.Salman and Naushad Ali.

The case FIR No.118 dated 22.06.2016 under Section 380 of Indian Penal Code was registered at Police Station Chheharta, District Amritsar on the statement given by Vijay Sharma and as per the allegations,

some gold ornaments and cash were stolen from the almirah in the room at his house. The suspicion is pointed out at the petitioners, namely, Mohd.Salman and Naushad Ali.

Learned counsel for the petitioners contends that the allegations are false on the face of it as at the time when the occurrence had taken place, the denomination of ₹2,000/- was not in circulation. Besides, it is submitted that the petitioners were working as labour at a sweet shop and when they decided to leave the job, this false case has been got registered.

On the other hand learned counsel for the State opposes the bail application.

I have heard learned counsel for the parties and have gone through the case file carefully.

The FIR is of the year 2016 and the Police has now swung into action to apprehend the petitioners. In view of the above, without expressing any opinion on the merits of the case and considering the facts and circumstances of the case, present petitions are allowed and in case of arrest of the petitioners, they shall be released on bail by the arresting officer. However, the petitioners shall abide by the terms and conditions of Section 438 (2) Cr.P.C.

Disposed off.

(MANOJ BAJAJ)
JUDGE

27.11.2018
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No