

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

CRM-M-9477-2018
Date of decision: 15.10.2018

Jagdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Jatinder Pal Singh, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 5 dated 03.01.2018, under Sections 457, 380, 407 of IPC, registered at Police Station Zira, District Ferozepur.

The operative part of the order dated 14.03.2018, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that as per allegation in the FIR, complainant-Sukhdev Raj has appointed one Major Singh as a Chowkidar in his godown, where, gunny bags containing groundnut were stored. It is further submitted that as per allegation in the FIR, on 30.11.2017, during inspection, the complainant found that the stock is deficient and he came to know that his Chowkidar- Major Singh had got prepared a duplicate keys and he along with 7 other accused persons including the petitioner who is named in the FIR as Sunny has stolen the bags of groundnut. Counsel for the petitioner further submitted that though as per an FIR, it came to notice of the complainant that there is a deficiency of the stock on

30.11.2017, however, the FIR was got registered on 03.01.2018 and there is no explanation of delay in lodging the FIR. Counsel for the petitioner further submitted that even a bare perusal of the FIR, do not show how much stock was there in the godown and how much deficiency was noticed by the complainant. He further submits that even on the same set of allegation, two FIRs have been registered in the same Police Station i.e. the present FIR No.5 dated 03.01.2018 and another FIR No.3 dated 01.01.2018. He also submits that the petitioner is ready to join the investigation. Learned State counsel, on instructions from ASI Davinder Kumar, has submitted that Ranjeet Singh and Sukhchain were arrested in this case and no recovery is effected from them.

List again on 22.05.2018.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 14.03.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Gurdeep Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 14.03.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

October 15, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*