

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

217

CRM-M-6427-2019

DATE OF DECISION: 19.09.2019

SUKHCHAIN SINGH ALIAS SUKHI ... Petitioner(s)

Versus

STATE OF PUNJAB ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.S. Bhatta, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. P.P.S. Duggal, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 233 dated 07.12.2018, under Sections 457 & 380 IPC, registered at Police Station Gurharshai, District Ferozepur.

Learned counsel for the petitioner contends that there is a delay of 26 days in lodging the FIR. On similar allegations, co-accused Kewal Singh and Gurmej Singh have been declared innocent by the police. The allegations in the FIR are that the petitioner and other co-accused had allegedly stolen household articles including ATM cards of the complainant and a sum of Rs.48,000/- was withdrawn by misusing ATM. He also states that the petitioner is not involved in any other case.

This Court, by the order dated 12.02.2019, had directed the petitioner to appear before the Investigating Officer and join the

investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from HC Raj Singh, states that although inverter battery and ATM cards have been recovered from the petitioner but other articles are yet to be recovered.

In view of the submissions of the learned counsel for the petitioner especially when there is a delay of 26 days in lodging the FIR, petitioner having joined investigation and he is not involved in any other case, the order dated 12.02.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

19.09.2019.

SwarnjitS

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