

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

CRM-M-10444-2019

Date of decision-23.05.2019

Gurjit Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vikas Guputa, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.290 dated 03.11.2018 under Sections 406, 420 and 120-B of Indian Penal Code registered at Police Station City Tarn Taran, District Tarn Taran. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 07.03.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that on 22.02.2018, shortage of 4902 bags of wheat were detected in relation to 3 godowns of FCI. The petitioner was Operation Supervisor of one of the godowns namely B.S Dhillon Godown. The tenure of the petitioner was only for a short duration i.e. w.e.f. September 2016 to June 2017. Besides, it is pointed out that the FIR was registered after a delay of 8 months of the alleged detection.

Notice of motion for 24.04.2019.

In the meanwhile, petitioner shall join the investigation

and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Charanjeet Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Charanjeet Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 07.03.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

23.05.2019

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Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No