

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

**CRM-M-14421-2019
Date of decision-02.05.2019**

Gurnam Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Bikramjit Singh Randhawa, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab assisted by
ASI Sohan Singh.

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.26 dated 06.03.2019 under Sections 379 and 411 of Indian Penal Code and Sections 26 and 62 of Indian Forest Act, 1927 registered at Police Station Kiratpur Sahib, District Rupnagar. 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 29.03.2019, 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 acting upon the alleged secret information some wood already recovered on 05.03.2019 and FIR was got registered on the next day by Rajiv Kumar, Forest Range Officer, wherein it was alleged that 5 pieces of Khair wood were

recovered from the petitioner. He further contends that there is nothing to indicate whether the alleged wood was cut or stolen.

Notice of motion for 02.05.2019.

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 Sohan Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Sohan 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 29.03.2019 is made absolute. However, it is made clear that this order shall remain operative only till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

02.05.2019

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