

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

219

CRM-M-15231-2019

DATE OF DECISION: 03.05.2019

JINDU @ JATINDER

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Dinesh Trehan, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.7 dated 03.02.2019, under Sections 457, 380, 34 IPC, registered at Police Station Sadar Pathankot, District Pathankot.

Learned counsel for the petitioner contends that the allegations in the FIR against the petitioner, who is a cleaner of a truck, are that he was consuming liquor along with the driver outside the liquor vend at around 10:30 p.m. and later on in the morning the complainant, who works at the vend, had received a telephone call from one Babbu, who is the owner of an adjoining shop, that the lock of the vend is broken and after reaching the spot he found that several cartons of different brands of Indian made foreign liquor were missing. He also contends that the story in the FIR appears to be improbable as normally there is some employee deputed to guard the liquor vend and the present FIR is the outcome of an altercation with an employee of the vend which took place on the previous night. He further contends that there is no allegation of any cash

having been looted or missing from the vend and the petitioner is not involved in any other case.

A coordinate Bench of this Court, by the order dated 03.04.2019, 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, on instructions from ASI Rajesh Kumar, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 03.04.2019 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.

03.05.2019

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

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