

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-33016-2018

Date of decision: 11.01.2019

Sukhdev @ Sukha

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kamal Narula, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

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ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.153 dated 19.07.2018 under Section 379 IPC and Sections 25/27 of Arms Act, registered at Police Station City Ferozepur, District Ferozepur.

While granting interim anticipatory bail to the petitioner, following order was passed on 07.08.2018: -

*“.....Counsel for the petitioner has submitted that as per the allegation in the FIR, the police received a secret information that 04 persons namely Sukhdev Singh @ Manu, Sunny, Sukhdev @ Sukha (petitioner herein) and Rishi, are present on the backside of the Polytechnic College and they are habitual of committing theft and are carrying a fire arm. It is further submitted that after registration of the FIR, 03 co-accused of the petitioner were arrested whereas the petitioner allegedly ran away from the spot and was not arrested. It is also submitted that from the co-accused, who were arrested at the spot, no stolen article was*

*recovered.*

*Counsel for the State, on instructions from ASI Davinder Singh, has not disputed the factual assertions and has submitted that the petitioner is not involved in any other case and from the 03 co-accused of the petitioner, a revolver was recovered and no stolen article was recovered from them and also submitted that the petitioner be directed to join the investigation.....”*

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

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

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 07.08.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

11.01.2019  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No