

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-36479-2018 (O&M)  
Date of Decision:-29.1.2019

Tirath Ram

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Subhash Kumar, Advocate for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

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**GURVINDER SINGH GILL, J.**(Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.124 dated 18.6.2018 at Police Station Division No.6, District Jalandhar under Sections 379-B and 34 of Indian Penal Code, 1860.

The FIR was registered at the instance of Vijay Kumar Siyal, wherein it has been alleged that on the day of occurrence when he was returning back to Jalandhar from his village after collecting the lease money of ₹54,000/- in respect of his land, then three unknown persons came on a motorcycle and snatched his bag containing the aforesaid amount.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case solely on the basis of a disclosure statement made by co-accused and that the co-accused is none else but the real brother of the present petitioner and it is highly

unlikely that the brother would have named him and that his brother has been forced to make the said statement.

Opposing the petition, the learned State counsel has submitted that since it is the real brother of the petitioner, who has named the petitioner, no case for grant of anticipatory bail is made out. It has, however, been informed that the petitioner has already joined investigation and that no recovery has been effected from him.

Having considered rival submissions addressed before this Court and bearing in mind the nature of allegations and the fact that the petitioner was not arrested at the spot and is not even stated to have been identified at the spot, in my opinion, it is a fit case for grant of anticipatory bail more particularly when the petitioner is already stated to have joined investigation. The present petition, as such, is accepted and the interim directions issued by this Court vide order dated 24.8.2018 are hereby made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when directed. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

This petition stands accepted accordingly.

**29.1.2019**

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)**  
**Judge**