

CRM-M-19705-2019

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

CRM-M-19705-2019

Date of Decision: 19.07.2019

Vikram Khatri @ Bikram Khatri @ Bunty and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ankush Singla, Advocate,
for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Preetwinder Singh Dhaliwal, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioners-Vikram Khatri @ Bikram Khatri @ Bunty, Sonu @ Sonu Khatri, Vijay @ Vijay Khatri and Krishan @ Kaku Khatri have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in a case FIR No.127 dated 09.04.2019, registered at Police Station City Barnala, District Barnala, under Sections 448, 380, 427 and 34 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per the allegations in the FIR, the petitioners have stolen stoves, utensils, pipes etc.

Learned State counsel submits that the petitioners have joined the investigation, but have not got recovered the articles.

Learned counsel for the petitioners submits that ejectment proceedings are already pending between the parties.

In pursuance of the interim order dated 02.05.2019 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 02.05.2019, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

19.07.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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