

CRM-M-21312-2019

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

CRM-M-21312-2019

Date of Decision: 19.07.2019

Pushpinder Singh @ Lucky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Deepak Goyal, Advocate,
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Rajbir Singh, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has 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.71 dated 09.04.2019, registered at Police Station City Sangrur, District Sangrur, under Sections 420 and 406 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel 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.

From the record, I find that as per the prosecution version, the vehicle, which the complainant is stated to have been purchased on the basis of affidavit, has been taken by the petitioner and sold to someone else. Admittedly, the vehicle is in police custody which means recovery has already been effected. Nothing is to be recovered from the petitioner.

Learned counsel for the petitioner states that the petitioner went many times to the police station, but he has not been joined in the investigation.

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 that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. The order dated 10.05.2019, granting interim bail to the petitioner, is made absolute, subject to the condition that the petitioner will join the investigation as and when called upon to do so by the police and if after giving notice to him, he is not joined in the investigation, then he shall approach the concerned Chief Judicial Magistrate/Duty Magistrate and file application requesting to get him joined in the investigation.

19.07.2019

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes
: No