

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

(I)

CRM-M-50799-2018 (O&M)

Date of Decision:- 28.2.2019

Babu @ Majeev Ullah

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-52535-2018 (O&M)

Sadik

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Simranjeet Kaur, Advocate, for
Mr. Mohd. Salim, Advocate, for the petitioner (s).

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of above-mentioned two petitions filed on behalf of petitioners Babu @ Majeev Ullah and Sadik, seeking anticipatory bail in respect of a case registered against them vide FIR No.211, dated 23.10.2018, registered at Police Station Kartarpur, District Jalandhar, under Section 379 IPC.

2. The FIR was registered at the instance of Onkar Singh wherein it has been alleged that Punjab State Electricity Board had installed Transformer in his fields and that on 20.10.2018, when he reached his fields he found that Transformer was lying on the ground and 'copper' and 'oil' had been stolen by some unknown person. It is alleged that while he was searching for the stolen articles, he came to know that 'copper' and 'oil' had been stolen by Babu and Kundan Lal who had removed the same in Indica car bearing registration No.PB-10-BV-0454.
3. Learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that they were never seen stealing the alleged copper and oil from the Transformer in question.
4. Opposing the petition, learned State counsel, has submitted that the car in question had been recovered and the same belongs to Kundan Lal @ Sadik and that copper has been recovered from Babu. It has however been informed that both the petitioners have since joined investigation and that the investigation is almost complete.
5. Having regard to the facts and circumstances of the case and also the nature of offence and that the petitioners have already joined investigation, the petitions, as such, are accepted and interim directions issued vide order dated 6.12.2018 (in CRM-M-50799-2018) and order dated 29.11.2018 (in CRM-M-52535-2018) are made absolute subject to the condition that petitioners Babu @ Majeed Ullah and Sadik shall appear and join the investigation as and when called upon to do so

and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

February 28, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No