

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-54401-2018

Date of decision: 29.03.2019

Amit and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Ashish Soi, Advocate
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.297 dated 27.08.2018 under Sections 379-B, 34, 411 IPC, registered at Police Station Division No.5, Ludhiana.

While granting interim bail to the petitioners, following order was passed by this Court on 14.12.2018:-

“Counsel for the petitioners has submitted that as per the allegations in the FIR, two persons on a motorcycle snatched the purse of the wife of the complainant namely Paramjit. Counsel for the petitioners has referred to the disclosure statement of one Dinesh Kumar, from whom the mobile phone was recovered and at the time effecting recovery, the complainant has also made a statement that he is the same person, who had snatched the purse of his wife. It is further submitted that during the investigation when the police recorded the statement of another co-accused Pawan Arora, the name of the petitioners surfaced and the

allegations against the petitioners in the disclosure statement is that Pawan Arora used to sell the stolen items through the petitioners i.e. Amit Sahota and Rohit Sahota. Counsel for the petitioners has further argued that the petitioners are young persons and are not involved in any other case and it will be a matter of trial whether the aforesaid disclosure statement made by co-accused is admissible or not.

Counsel for the State, on instructions from ASI Parminder Singh, has not disputed the factual position and has also admitted the fact that the petitioners are not involved in any other case and they may be directed to join the investigation.”

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

Learned State counsel, on instructions from HC Gurcharan Singh, has not disputed the factual position and states that the petitioners are no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 14.12.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

29.03.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No