

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

CRM-M-37115-2019 (O&M)

Date of decision : 31.10.2019

Gurjit Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Ms. Satwant Mehta, Advocate for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

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**ANIL KSHETARPAL, J. (ORAL)**

On 04.09.2019, following order was passed by this Court:-

*“Petitioner prays for grant of pre-arrest bail in FIR No.53, dated 26.04.2017, registered under Section 379 IPC at Police Station Sadar Tarn Taran, District Tarn Taran.*

*Learned counsel for the petitioners contends that the FIR in question has been registered on 26.04.2017, however, petitioners are sought to be arrested after a period of 2 years. She further submits that similar application was filed before the Court of Session and the petitioners were called upon to join the investigation. From the petitioners, 12 batteries are shown to have been recovered. However, since the first informant claims that 44 batteries were stolen, therefore, application for grant of pre-arrest bail was dismissed by the learned Court of Session. She submits that it is highly improbable that after having stolen 44 batteries,*

*a thief would keep the batteries in his possession for a period of 2 years.*

*Notice of motion for 31.10.2019.*

*On asking of the Court, Mr. SPS Tinna, Addl. A.G., Punjab, accepts notice on behalf of the State. A copy of the petition be handed over to Mr. SPS Tinna, Addl. A.G., Punjab, during the course of the day.*

*In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”*

Learned counsel for the State, on instructions from ASI Surinder Singh, has submitted that the petitioners have joined investigation, cooperated and not required for further custodial interrogation.

In view thereof, order dated 04.09.2019 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

**31.10.2019**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**