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

CRM-M No.2640 of 2020

Date of Decision: 22.01.2020

KARAMJIT SINGH

.....Petitioner

Vs

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.264 dated 27.12.2019, registered under Sections 379/411/201 IPC at Police Station Kotwali, District Bathinda.

As per allegations in the FIR, Jaspreet Singh and Karamjit Singh son of Jarnail Singh are involved in stealing of motorcycles. Allegations against the petitioner i.e. Karamjit Singh son of Jarnail Singh is that one motorcycle was taken by him and he opened its engine in his workshop and used the same in his own motorcycle. He was nominated for the offences under Sections 379/411/201 IPC.

Petitioner filed a petition for grant of anticipatory bail.

Para 6 of the impugned order dated 14.01.2020 passed by the

Additional Sessions Judge, Bathinda reads as under:-

“6. After considering the rival contentions raised by the learned counsel for the applicant-accused, as well as the learned Additional Public Prosecutor for the State and going through the police record; the allegations against the petitioner are that he alongwith Jaspreet Singh are habitual of stealing the motorcycle and from the stolen motorcycles, one motorcycle was kept by Jaspreet Singh which has been recovered and one motorcycle is in possession of Karamjit Singh.”

Perusal of the aforesaid paragraph would show that the trial Court has dismissed the petition by treating the petitioner to be Karamjit Singh son of Karnail Singh, who along with Jaspreet Singh are habitual of stealing motorcycles. In fact, petitioner is son of Jarnail Singh and allegation is of receiving stolen property.

In view of above, I deem it appropriate to direct the Additional Sessions Judge, Bathinda to revisit the order dated 14.01.2020 and decide the prayer of anticipatory bail of the petitioner within a period of two weeks in accordance with law.

Till such time, arrest of the petitioner shall remain stayed.

With the aforesaid direction, the petition stands disposed of.

January 22, 2020

(RAJ MOHAN SINGH)
JUDGE

Atik

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No