

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

CRM-M-12248-2020 (O&M)

Date of Decision: 28.07.2020

Sahil @ Tiddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C seeking anticipatory bail to the petitioner in case FIR No.98, dated 05.03.2020, under Sections 379/411 IPC, registered at Police Station City Ferozepur, District Ferozepur.

While issuing notice of motion, the following order was passed by this Court on 13.05.2020:

“Matter has been taken up through video conferencing via WhatsApp facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.98 dated 5.3.2020 registered under Sections 379, 411 I.P.C at Police Station, City Ferozepur, District Ferozepur.

Counsel submits that the FIR in question on the

allegations of having stolen essential commodities in the nature of wheat, sugar and rice has been registered on the basis of secret information. There is no allegation of theft of the same and no recovery has been effected from the petitioner.

It is urged that against the backdrop of the allegations, custodial interrogation of the petitioner would not be warranted as he otherwise is ready and willing to join investigation.

Notice of motion, returnable for 28.7.2020.

On the asking of the Court, Mr. Gaurav Garg Dhuriwala learned Sr. D.A.G., Punjab, who has also joined proceedings in this WhatsApp facility, accepts notice. A complete copy of the petition already stands furnished to learned State counsel.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C. ”

Learned State counsel upon instructions from SI Jagdeep Singh, Police Station City Ferozepur informs the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In view of the above, petition is allowed.

Order dated 13.05.2020 passed by this Court is made absolute.

Disposed of.

28.07.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |