

CRM-M-13358-2020

Date of decision: 01.06.2020

Arvinder Singh @ Happy

....Petitioner

versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH****Present:** Ms. Satpreet Grewal Kapila, Advocate  
for the petitioner.**FATEH DEEP SINGH, J.(ORAL)**

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Mr. Dhruv Dayal, Senior DAG, Punjab puts in appearance on behalf of the State on his own.

Petitioner, Arvinder Singh @ Happy, has come up in this first anticipatory bail application under Section 438 Cr.P.C. in case bearing FIR No.143 dated 20.08.2019 under Sections 454 and 380 of the Indian Penal Code registered at Police Station Adampur, District, Jalandhar.

The present case has been registered on the statement of complainant-Raghvir Kaur.

The allegations are that on 16.07.2019 morning, while the family was away, some unknown persons opened the lock of the house and committed theft of Rs.35,000/- in cash, a gold chain and a

gold earrings (*topas*). It is subsequently, a CCTV footage revealed the identity of a person and thereafter, on 20.08.2019, the case was got registered.

The learned State counsel, at the very onset, submits that the petitioner has since been declared a proclaimed offender on 02.12.2019. However, to the specific query of the Court that the petitioner was never named nor there is any evidence by what means and on which date, his name has cropped up, on revelation of his identity, the learned State counsel was totally unable to do so, even after getting instructions from the ASI Chanchal Singh.

In view of the same and the fact, as is conceded by the two sides that the challan of the petitioner has already been submitted in absentia, impels this Court to direct the petitioner to appear before the learned Trial Court within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the Trial Court subject to the conditions as envisaged under Section 438 (2)Cr.P.C.

The petition is disposed off accordingly.

**01.06.2020**

*Neha*

**(FATEH DEEP SINGH)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No