

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

CRM-M No.16359 of 2020 (O&M)

Date of Decision: 30.07.2020

Amit @ Mintu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gaurav Partap S. Pathania, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case bearing FIR No.0068 dated 22.05.2020, under Section 379B of the Indian Penal Code, 1860, registered at Police Station Taragarh, District Pathankot.

This Court, while issuing notice of motion on 24.06.2020, passed the following order:-

“ Briefly the allegations as putforth in FIR No. 68 dated 22.5.2020 registered under Section 379B IPC at Police Station Taragarh, District Pathankot has been registered at the instance of Davinder Singh @ Baggi are with regard to the theft of vehicle bearing registration No.PB-35Z-0506 containing 100 boxes of Royal Stag liquor. The occurrence allegedly took place during the intervening night of 11/12 April, 2020.

It has been stated by learned counsel for the petitioner that prior to the registration of the present FIR, another case bearing FIR No. 75 dated 12.4.2020 under Section 188, 269 IPC and 61 of Punjab Excise Act was registered at Police Station Dinanagar, District Gurdaspur and the aforesaid vehicle was taken in custody by the police in

that case. Moreover, Davinder Singh, complainant was arrayed as an accused in that case.

It has been further pointed out that similarly placed co-accused Savtantar Rai Bhandari has been granted interim bail by the Co-ordinate Bench of this Court vide order dated 17.6.2020.

Notice of motion for 30.7.2020.

Ms. Rashmi Attri, AAG Punjab accepts notice on behalf of the respondent-State. Copy of the paper-book be supplied to her during the course of the day through e-mail.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-15351-2020. ”

Contentends that in terms of the above order, petitioner has joined the investigation.

Learned State Counsel, on instructions from S.I. Hardeep Singh, has acknowledged that in terms of order dated 24.06.2020, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 24.06.2020 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

July 30, 2020

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>