

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

**CRM-M-18877-2020 (O&M)
Date of Decision:08.09.2020**

Ram Gopal

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Kanwar Pahul Singh, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G. Punjab.

TEJINDER SINGH DHINDSA J.(Oral)

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

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No.183 dated 21.11.2019 under Sections 380, 457 and 427 IPC registered at Police Station Maqboolpura, District Amritsar.

While issuing notice of motion, the following order was passed by this Court on 16.07.2020:-

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

Petitioner seeks concession of pre-arrest bail in case FIR No.183 dated 21.11.2019 under Sections 380, 457, and 427 IPC registered at Police Station Maqboolpura, District Amritsar.

FIR came to be registered on the statement of Pankesh

Kumar who is stated to be doing the job on the post of Supervisor in a company, engaged in fitting ATMs of State Bank of India and Bank of India. As per complainant's version he had received a call from General Manager, SBI, stating that lock of a particular ATM fixed at bus-stand, Daburji, has been broken. When the complainant alongwith one Amarjit Singh went on the spot he found that the lock of the ATM had been cut with the aid of a cutter and ATM machine had been broken into and cash had been stolen.

Counsel submits that FIR had been registered on the basis that some unknown persons had broken into the ATM and had stolen the cash.

During the course of investigation, one Harpreet Singh was arrested and from him certain material like gas cutter etc. had been recovered. The present petitioner is sought to be implicated only on the strength of a disclosure statement of a co-accused.

Further submitted that the present petitioner has clean antecedents and is not involved in any other FIR.

Notice of motion returnable for 08.09.2020.

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.”

Mr. A.S. Sandhu, Addl. A.G. Punjab, on instructions from SI Himanshu Bhagat, 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 16.07.2020 passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

September 08, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No