

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

201

**CRM-M-20079-2020
Decided on : 29.09.2020**

Jaspal @ Pali

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Deepanjay Sharma, Advocate for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawal, J. (Oral)

The petitioner in the present petition filed under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No.67 dated 07.07.2020 under Section 379 IPC (wrongly mentioned “under Section 479 IPC” in the headnote) registered at Police Station Kathgarh, District SBS Nagar.

On 23.07.2020 the petitioner was directed to join investigation, who was the accused of stealing wood. The said order reads as under:-

“Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner – Jaspal alias Pali – in case FIR No.0067 dated 07.07.2020 registered under Section 379 IPC (wrongly mentioned “under Section 479 IPC” in the headnote) at Police Station Kathgarh, District SBS Nagar. According to prosecution, in the intervening night of 05/06.07.2020, petitioner committed theft of 22 pieces of khair wood through his Mahindra pick-up bearing registration No.PB10-DM-7815 by cutting and uprooting the same from the forest.

Learned counsel *inter alia* contends that petitioner has falsely

been implicated. He is ready to join investigation.

Notice of motion for 29.09.2020.

Mr. Bhupender Beniwal, AAG, Punjab, accepts notice on behalf of the State and has opposed grant of anticipatory bail to the petitioner.

Meanwhile, petitioner is directed to join the investigation and deposit ₹20,000/- with the Investigating Officer as approximate cost of the stolen wood, which the Investigating Officer would deposit with the complainant Forest Department against valid receipt. Petitioner shall remain present as and when called for by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Counsel for the State on instructions received from ASI Pawan Kumar submits that in pursuance of the above said order, the petitioner has joined investigation and done the needful. He submits that the petitioner does not have any case of similar nature pending against him and he is not required for further investigation. He further submits that Section 411 IPC has been added.

Accordingly, anticipatory bail is also granted under Section 411 IPC in the said FIR by confirming the interim order dated 23.07.2020.

The petition stands disposed off.

SEPTEMBER 29, 2020

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No