

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33445-2019

Date of Decision: 03.02.2020

Baljit Singh @ Makhan Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Lalit Singla, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.98 dated 01.10.2018 under Sections 379-B, 341, 148, 149 IPC (Sections 201 and 395 IPC added later on), registered at Police Station Moonak, District Sangrur. He apprehended his arrest at the hands of Police.

The FIR in the present case was registered on the application of Ajay Kumar, wherein he apprised to the police that a truck loaded with Basmati rice belonging to Bansal Agro Products Pvt. Ltd. was waylaid by Mukhtiar Kamboj alongwith 4-5 persons near village Karail. They hurled abuses to driver and forcibly took away the loaded truck and parked it in Grain Market.

Learned counsel for the petitioner further contends that in deference to the order dated 20.08.2019, whereby the petitioner was granted interim pre-arrest bail, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated

with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

It is pointed out that the petitioner is not named in the FIR and even in the application for anticipatory bail filed before the Court below, the stand of the police was that the petitioner was not required for investigation/inquiry. However, he has been implicated on the basis of disclosure statement made by co-accused Mukhtiar Singh, who has already been granted the benefit of regular bail. He further contends that co-accused Gurbachan Singh has also been extended the concession of anticipatory bail by this Court.

Learned State counsel who is assisted by ASI Babu Singh does not dispute this fact that the petitioner has joined the investigation and states that he is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 20.08.2019 is made absolute.

03.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No