

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-39954-2020 (O&M)  
Date of Decision:-18.12.2020

Ravinder Singh @ Arwinder Singh @ Ravi ... Petitioner

Versus

State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

*(proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.346 dated 23.10.2020 at Police Station Jhabhal, District Tarn Taran under Sections 379 and 411 of Indian Penal Code.
2. It is the case of prosecution that a secret information was received by the police to the effect that Jagdeep Singh @ Deepu, Arvinder Singh @ Ravi (petitioner) and Akashdeep Singh indulged in stealing motorcycles and sell the same to innocent persons at a low price and that even on the said day Jagdeep Singh @ Deepu was coming on a stolen motorcycle from link road to Village Thatgarh towards Jhabhal side in search of customer. Pursuant to receipt of said information barricading was held and a motorcycle borne

person was intercepted who upon inquiry disclosed his name as Jagdeep Singh @ Deepu. Said Jagdeep Singh @ Deepu could not produce any documents pertaining to ownership of the motorcycle and upon interrogation he disclosed that he along with Arwinder Singh (petitioner) had stolen the motorcycle with the help of a duplicate key.

3. Learned counsel for the petitioner has submitted that the petitioner was never apprehended at the spot and has been nominated as an accused on the basis of a disclosure statement made by co-accused Jagdeep @ Deepu, the admissibility of which would be debatable.
4. Opposing the petition, the learned State counsel has submitted that since there was specific secret information against the petitioner and the co-accused was intercepted while riding a stolen motorcycle, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner was never apprehended at the spot and has been nominated on the basis of a disclosure statement, the veracity and admissibility of which would be debatable and while also noticing that the petitioner is not involved in any other case and has since joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and it is ordered that, in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so

and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

**18.12.2020**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No