

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

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IN VIRTUAL COURT

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**CRM-M No. 43861 of 2020
Date of decision : 24.12.2020**

Jagseer Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. J.S. Sandhu, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No. 135 dated 16.6.2020, registered under Sections 420, 379, 381 and 120B IPC, at Police Station Canal Colony, Bathinda, District Bathinda.

It is submitted by the learned counsel for the petitioner that the petitioner has no concern with the crime alleged in this case. The complainant had not even named the petitioner as an accused in the first instance. The name of the petitioner has been sought to be involved in the case on the basis of an alleged disclosure statement after about 22 days of the FIR. Even as per the alleged disclosure statement, there is no specific allegation against the petitioner except to say that the petitioner was also involved in the theft of the transformer oil along with the drivers of other vehicles. It is also submitted that the tanker from which the transformer oil was alleged to have been stolen, is already in the custody of the police. There is no other case against the petitioner.

Notice of motion.

Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the State.

It is submitted by the counsel for the State, on instructions from HC Lakhveer Singh, that the name of the petitioner has surfaced in the crime during the investigation. The co-accused of the petitioner have disclosed specific participation of the petitioner in the crime. However, it is not disputed that except the alleged disclosure statement, there is nothing discovered by the police even during the investigation; to show the complicity of the petitioner in the crime. It is also not disputed that there is no other case against the petitioner.

In view of the above, the present petition is allowed. It is further ordered that in case of his arrest in connection of this case, the petitioner shall be released on bail on his furnishing bail bonds/sureties to satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when called by the police and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

24.12.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No