

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

**CRM-M-8608-2021 (O&M)
DATE OF DECISION: 30.11.2021**

KULVIR SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manish Kumar Singla, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Mayank Gupta, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 575 dated 21.12.2020, under Sections 406, 420 and 506 of the Indian Penal Code, 1860, registered at Police Station Jind City, District Jind.

Learned counsel for the petitioner contends that it is alleged in the FIR that 'bardana', including paddy, was loaded at the behest of the complainant at Jind for its delivery at Fazilka. The complainant had hired the services of one Rajbir Sharma for its transportation. It is alleged that two trucks bearing registration No. RJ47-GA-1665 and RJ32-GB-5718 were used for transportation and instead of making delivery at Fazilka, the goods were misappropriated by the accused. He, however, contends that the petitioner is not named in the FIR and is being arraigned as an accused on the disclosure statement of co-accused, Beant Singh, who is the brother of the petitioner.

Beant Singh was allegedly driving one of the trucks. He further contends that

the petitioner is not the owner of any of the trucks. He also contends that the matter has been compromised and a petition for quashing the FIR on the basis of compromise bearing CRM No.M-35742-2021 has been filed which is listed for hearing on 14.12.2021.

Mr. Mayank Gupta, Advocate has put in appearance on behalf of the complainant and states that the matter has indeed been compromised.

Without expressing any opinion on the merits of the case and in view of the submissions of learned counsel for the petitioner especially when the matter has been compromised, I deem it a fit case to grant the concession of anticipatory bail to the petitioner.

Therefore, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 of the Code of Criminal Procedure, 1973 ('Cr.P.C.' – for short). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed of in the aforementioned terms.

Criminal misc. application, if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

30.11.2021

SwarnjitS

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No