

In the High Court of Punjab and Haryana at Chandigarh

202

CRM-M-11976-2021 (O & M)

Date of Decision: July 23, 2021

ROHIT KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Varinder Basa, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 41 dated 28.02.2021, under Sections 380 and 457 of the Indian Penal Code, 1860, registered at Police Station Civil Lines Batala, District Gurdaspur.

Learned counsel for the petitioner contends that there is a delay of four days in registering the FIR wherein it is alleged that 43 mobile phones had been stolen. He, however, contends that the petitioner is being involved on the basis of suspicion and he was brutally beaten up by the complainant party. He has referred to the copy of the MLR of the petitioner at Annexure P2. The petitioner is not involved in any other criminal case.

This Court, by the order dated 22.03.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Parkash Singh, states that although the petitioner has joined investigation and 10 mobile phones have been recovered but he is not cooperating and more recoveries have to be effected from him.

Learned counsel for the petitioner contends that about 20 mobile phones have been recovered from the co-accused.

In view of the above and the petitioner having joined investigation, the order dated 22.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 23, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No