

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

CRM-M-12556-2021 (O&M)

Date of Decision:-12.11.2021

Sukhmander Singh @ Sukha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. R.K. Kochura, Advocate for
Mr. Kuldip Singh, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by HC Vipin Chander.

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.11 dated 26.1.2020 at Police Station Khuikhera, District Fazilka under Sections 457 and 380 of Indian Penal Code.
2. At the time of issuance of notice of motion on 18.3.2021, the following order was passed:

“Learned counsel for the petitioner contends that the petitioner has falsely been nominated as an accused in the instant case and that a perusal of the FIR itself would show that the same has been lodged belatedly inasmuch as while the occurrence of alleged theft of some music instruments by some unknown persons is alleged to have taken place on 20.1.2020, the complainant claims to have come to know about the identity of the accused after about six

days and had thereafter named the accused as Deepak Kumar, Anu, Gurmeet Singh @ Gora, Rinku @ Rinki and Sukha without there being anything to suggest as to how he had come to know about the identity of the accused.

Notice of motion for 30.7.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim 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.”

3. Learned State counsel, upon instructions from the HC Vipin Chander, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not required for any custodial interrogation. It has also been informed that the petitioner stands involved in 5 other cases.
4. Having regard to the aforestated position particularly the nature of allegations and the fact that the petitioner has already joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 18.3.2021 are hereby made absolute, subject to the condition that the petitioner shall join 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.

12.11.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**