

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

CRM-M-12790-2021 (O&M)

Date of Decision:- 30.7.2021

Sonu Singh @sonu @ Sona Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harpal Sidhu, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Chander Shekhar.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.127, dated 25.8.2000, Police Station Sadar Jalalabad (W), District Fazilka, under Sections 457, 380, 34 IPC.
2. At the time of issuance of notice of motion on 19.3.2021 the following order was passed:

“The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.127 dated

25.08.2020 at Police Station Sadar Jalalabad (W), District Fazilka, under Sections 457/380/34 IPC.

Learned counsel for the petitioner submits that although as per the FIR, it is alleged that a theft of certain gold ornaments and an amount of Rs.50,000/- had taken place in the house of the complainant on the night intervening 12/13.06.2020, which apparently had not taken place in the presence of the complainant, but in the FIR lodged after about 2 months, the complainant has named Shindo, Sonu, Amarjit Singh, Surjit Singh and Paramjit Singh as the accused without there being anything to suggest as to how the complainant came to know about their names.

Learned counsel for the petitioner has submitted that the falsity of the allegation would be evident from the fact that the entire Panchayat has passed a resolution (Annexure P-2) in favour of the petitioner to the effect that the petitioner had not committed any theft.

Notice of motion for 30.07.2021.

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 Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Chander Shekhar, has informed that pursuant to interim directions, the petitioner has

joined investigation and that he is not required for any custodial interrogation and that he is not even involved in other cases.

4. Having regard to the facts and circumstances of the case and the fact that the petitioner has already joined investigation and is not wanted in any other case, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 19.3.2021 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.

30.7.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No