

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

CRM-M-20861-2021 (O&M)
Date of Decision:-8.9.2021

Rajan Kumar ... Petitioner

Versus

State of Punjab ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rishu Mahajan, Advocate for the petitioner.

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

(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 vide FIR No.200 dated 29.8.2016 at Police Station Rama Mandi, District Jalandhar under Sections 382, 392, 411, 120-B of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. At the time of issuance of notice of motion on 26.5.2021, the following order was passed:

“Learned counsel for the petitioner contends that it is a case where the FIR was lodged in the year 2016 at the instance of Naresh, wherein it is alleged that 2 persons had entered the Branch of

Manapuram Finance Limited, where he was working, and had made some inquiries pertaining to certain schemes and that subsequently 3-4 boys entered and after giving beatings to the complainant and to another person looted gold lying in the safe therein.

Learned counsel for the petitioner submits that as per case of the prosecution the police arrested one Muna on 5.3.2021 and he is alleged to have suffered a disclosure statement naming as many as 14 persons including the petitioner, who is running a jewellery shop and to whom the accused are alleged to have sold the stolen jewellery.

Learned counsel for the petitioner submits that the alleged disclosure statement can hardly carry any evidentiary value particularly when the same has been recorded after about 4 years of the occurrence and that in any case the petitioner is not alleged to have robbed the complainant of the gold/money.

Notice of motion for 8.9.2021.

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 ASI Ravinder Singh, has informed that pursuant to interim directions the petitioner has since joined investigation and that he is not wanted in any other case.
4. Having regard to the nature of allegations and the fact that even as per the FIR, the role that can be attributed to the petitioner is that the co-accused had sold the stolen jewellery at the shop of the petitioner, who is a goldsmith and

while noticing that the petitioner has since joined investigation and has a clean record, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 26.5.2021 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.

8.9.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No