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**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

\*\*\*\*

**CRM-M-25592-2021  
Date of Decision: 06.09.2021**

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Mukesh Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. Manoj R.Sharma, Advocate,  
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab,  
assisted by ASI Sushil Kumar.

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**SUDIP AHLUWALIA, J. (ORAL)**

The present petition has been filed under Section 438 of the Code of Criminal Procedure by the petitioner, seeking anticipatory bail in case FIR No.73 dated 30.05.2021, under Sections 379/411/473 of the IPC, registered at Police Station Kiratpur Sahib, District Rupnagar.

2. Ld. Counsel for the petitioner submits, *inter alia*, that the FIR has been drawn up on the basis of a secret information. The petitioner is alleged to have sold some stolen Motorcycles to one Manjit Singh, who is reported to be a juvenile. Two Motorcycles were recovered from the said Manjit Singh, who stated that they were purchased by him from the petitioner and one Jagmohan Singh.

3. From the Reply filed on behalf of the State, it would appear that

till now the owners of the concerned Motorcycles do not appear to have been traced out. In such circumstances, the conclusion that the Motorcycles in question are actually stolen properties would appear to be somewhat premature. In any event, no direct recovery has been effected from the present petitioner and his name has transpired from the disclosure statement of the co-accused.

4. For the aforesaid reasons, this Court is of the opinion that the petitioner's custodial interrogation is not required.

5. In view of the above, the petitioner's prayer for anticipatory bail is allowed and he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. However, he shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

6. Disposed off.

**06.09.2021**

Apurva

**(SUDIP AHLUWALIA)  
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No