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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.26912 of 2021(O&M)

Date of Decision:14.09.2021

Deepak through his father and natural guardian Bajrang Lal
.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Vipul Aggarwal. Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl., A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.95 dated 18.06.2021 registered under Sections 379, 482 IPC (Sections 411, 34 IPC added later on) at Police Station Sadar Jalandhar, District Police Commissionerate Jalandhar.

On 14.07.2021, following order was passed:-

"The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the petitioner is a minor. No recovery has been

effected from him. Offence under Section 482 IPC is not attracted as the petitioner has not used any fake number plate of alleged stolen motorcycle. Petitioner has been implicated on the basis of disclosure statement of Sohan in a different case qua some different motorcycle qua which FIR in respect of theft has not come forth.

Notice of motion for 14.09.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 23.07.2021 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.”

Learned counsel for the petitioner submits that petitioner is a minor, who has been involved in the present case. No recovery has been effected from the petitioner and offence under Section 482 IPC is not attracted as the petitioner has not used any fake number plate of alleged stolen motorcycle. Petitioner has been nominated on the basis of disclosure statement of co-accused Sohan in a different case qua some different motorcycle qua which FIR in respect of theft has not

been brought on record.

Learned counsel further submits that in compliance of the order dated 14.07.2021, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Kashmir Singh submits that the petitioner has joined the investigation on 26.07.2021 and his presence is no more required for further investigation in the case.

In view of aforesaid statement made by learned State counsel, the interim order dated 14.07.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

14.09.2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No