

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

CRM-M-31349-2021 (O&M)
Date of Decision:- 17.12.2021

Tanveer Malik

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S.Dadwal, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by ASI Baldev Singh.

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.0134 dated 09.07.2021 at Police Station Tibba, Ludhiana, under Sections 380/381/454 IPC.
2. At the time of issuance of interim directions the following order was passed on 6.8.2021:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.0134 dated

09.07.2021 at Police Station Tibba, Ludhiana, under Sections 380/381/454 IPC.

The FIR in question was lodged at the instance of Pankaj Jindal, wherein it is alleged that he is running a factory under the name of 'Akash Dying and Finishing House' at Ludhiana and that it was found that about 60 cotton cloth rolls were missing. Upon checking CCTV footage, it surfaced that two young men had removed the said rolls in a Tata Ace vehicle bearing registration No.PB-0-EH-9747.

The complainant alleges that he came to know that Sanjay Kumar working as Assistant Master in his factory in connivance with Shubham Sharma, Arun Kumar, Rajinder Singh and Munish had committed theft in his premises several times even in past. The complainant further alleged that he has come to know that the said stolen articles have been sold to Tanveer Malik (petitioner) and Rajik at cheaper rates.

Learned counsel for the petitioner has submitted that even if the allegations, as levelled in the FIR, are taken to be correct, still the only allegation is that the other accused had sold the stolen goods to the petitioner, which at best would attract an offence under Section 411 IPC.

Notice of motion for 17.12.2021.

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 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. The learned State counsel, upon instructions from ASI Baldev Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required. It has also been informed that the petitioner is not wanted in any other case.
4. In view of the aforesaid submission, the petition is accepted and the interim directions issued by this Court vide order dated 6.8.2021 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.

17.12.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No