

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

CRM-M-30982-2020

Date of Decision: 05.04.2021

Kiranjeet

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Monty Goyal, Advocate,
for the petitioner.

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

Mr. Kewal Krishan, Advocate,
for the complainant.

(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.220 dated 07.08.2020 at Police Station Salem Tabri, District Ludhiana under Section 381/34 IPC.
2. At the time of issuance of notice of motion on 05.10.2020, the following order was passed:

“Learned counsel for the petitioner submits that he is not named in the FIR wherein the allegations have been levelled against co-accused Kamal Kumar-Supervisor and driver Charanjit Singh to the effect that they had committed theft of 6 cartoons of yarn and that instead of getting them unloaded in the factory premises of the complainant the same were got unloaded at the residence of Kamal Kumar. Learned counsel further submits that he has been nominated

as an accused after 1 ½ months of the FIR on the basis of a supplementary statement made by the complainant.

Notice of motion for 3.2.2021.

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.

At this stage, Mr. R.D.Rattewal and Kewal Krishan, Advocates, put in appearance on behalf of the complainant.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not involved in any other case.
4. Learned counsel for the complainant has, however, submitted that the petitioner is a member of a gang, who have been cheating various firms and that as such he does not deserve the concession of bail.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that there is nothing on record to establish that the petitioner is involved in other cases and bearing in mind that the petitioner has already joined investigation and is not required for custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 05.10.2020 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.

05.04.2021
Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**