

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

(205)

CRM-M-40660-2021.
Date of Decision:-01.12.2021.

Sukhwinder Singh @ Laddi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Janak Singh Bhinder, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.15 dated 22.02.2021 under 379 of IPC, registered at Police Station Khanauri, District Sangrur.

On 29.09.2021, this Court was pleased to pass the following order:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.15 dated 22.02.2021 registered under Section 379 of the Indian Penal Code, 1860 at Police Station Khanauri, District Sangrur.

Learned counsel for the petitioner inter alia contends that the petitioner was not named in the present FIR and Mohindra Bolero Pickup car was also recovered from the co-

*accused of the petitioner in case FIR No.36 and it is on the basis of disclosure statement of the said co-accused that the petitioner has been implicated in the present case. With respect to the said aspect, he has relied upon an order passed by Coordinate Bench of this Court dated 17.06.2020 in CRM-M-12051-2020 titled “**Mewa Singh Vs. State of Punjab**”, and an order of this Court dated 16.07.2021 passed in **CRM-M-12997-2020** titled as “**Daljit Singh Vs. State of Haryana**”. It is also submitted that even in the said FIR No.36, the petitioner has been involved on the basis of disclosure statement.*

Notice of motion.

On asking of the Court, Mr. Amit Mehta, Sr. DAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 01.12.2021.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner 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.”

Learned counsel for the petitioner has submitted that in pursuance of the above order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Kulwinder Singh, has submitted that the petitioner has joined the investigation on 30.10.2021 and is not required for further investigation.

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Keeping in view the above-said facts and circumstances, moreso, the facts noticed in the order dated 29.09.2021 and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition for grant of anticipatory bail is allowed and the interim order dated 29.09.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

December 01, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No