

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

CRM-M-39982-2020 (O&M)
Date of Decision:- 7.4.2021

Raj Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Simrandeep S. Sandhu, Advocate, for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab,
assisted by ASI Kuldeep Singh.

Mr. Manish Kumar Singla, Advocate for the complainant.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.105, dated 5.9.2020, Police Station Khanauri, District Sangrur, under Sections 408 and 379 IPC.
2. At the time of issuance of notice of motion on 2.12.2020 the following order was passed:

“Learned counsel for the petitioner contends that while the allegations are to the effect that the petitioner had taken away a Ledger Book of ‘Aggarwal Gram Udyog Samiti, BKO Mandvi’ at Village Mandvi and certain “bilties” apart from ₹10,000/- and a black coloured Hero Honda of the firm but infact the petitioner was never employee of the said firm but had been working at a petrol pump at Ropar i.e. Rattan Lal Service Provider which is also owned by the complainant Rattan Lal and that on account of some dispute he has been falsely implicated in a case at Sangrur. The learned counsel, in order to hammer forth his aforesaid submission, has drawn the attention of this Court to the account statement (Annexure P-3) of the petitioner which indicates that his salary was being deposited by the firm ‘M/s Rattan Lal Service Provider’.

Notice of motion for 10.3.2021.

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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned counsel for the complainant has however, vehemently opposed the petition and has submitted that the allegations as levelled in the FIR clearly show that the petitioner had caused huge loss to the complainant and that in these circumstances he does not deserve the concession of anticipatory bail.
4. The learned State counsel, upon instructions from ASI Kuldeep 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 and that he is not even involved in any other case.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of allegations and the fact that the petitioner has already joined investigation and is not required for any custodial interrogation and is not even stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 2.12.2020 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.

7.4.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No