

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

CRM-M-46521-2019 (O&M)

Date of Decision: 08.09.2021

Manch @ Lovepreet

....Petitioner

Vs.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Harjinder Singh, Advocate,
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab
assisted by ASI Parvinder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.33 dated 24.03.2019 at Police Station Satnampura, District Kapurthala, under Section 379 IPC (Section 411 IPC added subsequently) .
2. The FIR was lodged at the instance of Naresh Kumar Rana, wherein it is alleged that on 22.3.2019, he had gone to Akal Stadium to play and had parked his motorcycle Hero Honda Splender bearing registration No.PB-36-G-2990 outside the stadium. However, at about 6:00 PM when he came outside, he saw that his motorcycle was not there and had been stolen by some unknown person. It is further alleged that later he kept on searching for his motorcycle and strongly suspects that the motorcycle has been stolen by Jasvir and Manch, who have sold the same to some scrap dealer.

3. Learned counsel for the petitioner submits that although he is named in the FIR, but his name has been mentioned solely on the basis of suspicion without there being any evidence to connect him with the alleged occurrence.
4. Learned State counsel has submitted that during the course of investigation, it has surfaced that the petitioner and his co-accused Jasvir after stealing the motorcycle had sold the same to a scrap dealer and that the wheels of the motorcycle were, however, recovered from co-accused Jasvir. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court on 16.01.2020, the petitioner has since joined investigation and that he is not wanted in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that nothing is stated to have been recovered from the petitioner and that he had already joined investigation and is stated to be having a clean record, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 16.01.2020 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.

08.09.2021

VY

**(GURVINDER SINGH GILL)
JUDGE**

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