

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

CRM-M-51139-2019 (O&M)
Date of Decision:- 12.8.2021

Sata Masih

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ritesh Pandey, Advocate, for the petitioner.

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

(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 against him vide FIR No.147, dated 31.10.2019, Police Station Dina Nagar, District Gurdaspur, under Sections 395, 341, 506 IPC, wherein the allegations are that the accused had robbed the complainant for an amount of Rs.2000/- and also snatched an amount of Rs.3000/- from Mohammad Tariq and forcibly offloaded the cows which the complainant was carrying in his vehicle.

2. At the time of issuance of notice of motion on 2.12.2019 the following order was passed:

“Learned counsel for the petitioner submits that petitioner is a broker in the trade of sale and purchase of animals. Complainant has also purchased animal from him and due to a dispute he got him falsely implicated in this case.

Notice of motion for 17.03.2020.

Petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

3. Learned State counsel, upon instructions from ASI Ramesh Kumar, has informed that the petitioner has since joined investigation and that the cows in question have already been recovered and that challan already stands presented.
4. Having regard to the facts and circumstances of the case and while bearing in mind that the investigation already stands concluded, custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 2.12.2019 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.

12.8.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No