

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

201

CRM-M-54095-2019

Date of Decision: 27.07.2021

MANBIR SINGH @ CHEEMA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. A.P.S. Shergill, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.102 dated 18.07.2019, registered under Section 379 IPC, 1860, at Police Station Satnampura, Phagwara, District Kapurthala, Annexure P-2.

On 18.12.2019, this Court had passed the following order:-

“Learned counsel for the petitioner submits that the FIR having been registered against unknown persons as regards the theft of the motorcycle of the complainant, even in the order of the learned Additional Sessions Judge, Kapurthala, dismissing a similar petition filed before that Court, nothing has been shown as to how the petitioner was found to be connected with the theft.

Notice of motion, returnable on 23.1.2020.

In the meanwhile, upon the petitioner joining investigation and complying with all conditions stipulated in Section 438(2) of the Cr.P.C., if he is sought to be arrested, he shall be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilqa Magistrate.

If the investigating officer does not actually join the petitioner in investigation, he would appear before the learned Ilqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation, in terms of the order of this Court.”

Learned State counsel on instructions from ASI Manjit Singh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has referred to Annexures P-5 and P-6 to submit that the petitioner has been named as an accused in two other criminal cases.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 18.12.2019 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

The petitioner shall furnish an undertaking to the effect that henceforth, he shall not get involved in any other criminal activity. In case, he violates the undertaking, it shall be open to the State to seek cancellation of his bail.

27.07.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No