

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

101

**CRM-M-5843-2022(O&M)
Date of decision:11.02.2022**

SURINDER SINGH @ CHHINDA

...Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Arnav Kumar, Advocate, for the petitioner.
Ms. Anu Chatrath, Addl.A.G., Punjab.**

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

This is petitioner's second attempt to get pre-arrest bail in a criminal case arising from FIR No.194, dated 03.09.2021, registered under Section 420/406/379/120-B IPC, at Police Station City Rajpura, District Patiala.

The first bail application was dismissed as withdrawn vide order dated 21.01.2022, as the Court was not inclined to grant the concession of pre-arrest bail. The order dated 21.01.2022, is extracted as under:-

*“1. The learned counsel representing the petitioner prays for permission to withdraw the present petition, after perceiving that the Court is not inclined to grant the concession of pre-arrest bail.
2. Ordered accordingly.”*

This Court has, once again, heard the learned counsel representing the petitioner on merits.

As per the case of the prosecution, the petitioner runs a transport company and a vehicle deputed by his company to transport the goods, has failed to return Tractor Motors of HHP Locomotive to the

Railways. The petitioner had booked these goods for transportation from Guwahati to Rajpura.

The petitioner filed an application before the Court of learned Additional District & Sessions Judge, in which while granting an interim protection, the petitioner was directed to join the investigation, however, he did not join the investigation.

Now, it has been pleaded that the petitioner was arrested in another FIR and therefore, he could not join the investigation.

The learned counsel contends that the petitioner is only an agent and has no role to play in the offence.

This Court has considered the submission. Once it is not in dispute that the petitioner runs the transport company with whom the goods were booked for transportation and the vehicle has failed to deliver the goods, then, the argument of the learned counsel that the petitioner is only an agent, cannot be accepted. The goods worth Rs.84,00,000/- belonging to a public authority have been stolen. The carriers are entrusted with the goods on the basis of faith and confidence that the goods would be safely delivered at the destination.

In such circumstances, this Court does not find it appropriate to extend the concession of pre-arrest bail.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

February 11, 2022
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No