

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5889-2022 (O & M)

Date of decision: 05.04.2022

Parteek Singh Nijjar and anr.

..... Petitioners

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Pushp Jain, Advocate, for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

Petitioners seek grant of the anticipatory bail under Section 438 Cr.P.C. in a case bearing FIR No.190 dated 25.12.2021 under Sections 379 IPC registered with Police Station Adampur, District Jalandhar Rural.

On 11.02.2022, the following order was passed by this Court:-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 190, dated 25.12.2021 registered under Section 379 IPC at Police Station Adampur, District Jalandhar Rural.

FIR was lodged on the complaint of one Yogesh Chadha who stated that on 22.12.2021, he had parked his tractor loaded with sugarcane in the grain market. Thereafter, he went home. On 23.12.2021, at about 4.30 am, when he reached near his tractor trolley, he found that battery of his tractor was stolen by some unknown person. It was noticed from the recording of CCTV that during the night of 22.12.2021 at about 9.30 pm, a person came near his tractor. There were 2 other persons standing near a Bolero vehicle parked on the road. The person standing near his tractor trolley committed the theft of battery. Thereafter, all those 3 persons fled away in the Bolero vehicle. The same night, the batteries of Raman Kumar and Ravinder

Singh were also stolen. After making inquiry, complainant came to know that the batteries had been stolen by petitioners.

Learned counsel for petitioners states that the petitioners have clean antecedents. He states that the petitioners are ready and willing to join investigation and cooperate in same.

Notice of motion for 5.4.2022.

In the meanwhile, in the event of arrest of petitioners, they shall be released on interim anticipatory bail to the satisfaction of Arresting/Investigating Officer. They will join investigation as and when called for and cooperate in same.

They will abide by conditions of Section 438(2) Cr.P.C.”

However, learned State counsel submits that the petitioners have joined investigation in terms of order dated 11.02.2022 and are not required for custodial interrogation.

In this view of the matter, interim order dated 11.02.2022 is made absolute. However, the petitioners shall keep on joining the investigation as and when required to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 05, 2022
sukhpreet

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