

CRM-M-8424-2022
Date of decision-20.04.2022

Kulvir Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJPresent: Mr. Vinay Puri, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.0007 dated 22.01.2022 under Section 379 of Indian Penal Code, 1860 registered at Police Station Kiratpur Sahib, District Rupnagar, who apprehends his arrest at the hands of Police.

On 28.02.2022, this Court had passed the following order:-

“Learned counsel contends that as per allegations, theft of wire relating to 11 KV line being laid by complainant/company was made on 19.01.2022 and as per contents of the FIR, the said theft was committed by unknown persons, however, a suspicion was expressed upon the labour engaged in the said task. Learned counsel further submits that he being

contractor has already completed various projects and has been falsely implicated in this case.

Notice of motion for 09.03.2022.”

Today, learned counsel for the petitioner has produced a copy of the order dated 10.03.2022 passed by this Court in CRM-M-10457-2022 to contend that the matter has been amicably settled and a petition for quashing of the FIR on the basis of compromise is pending adjudication before this Court.

According to him, even otherwise, if it is assumed that the labour sent by the petitioner (contractor) for doing the work of the complainant company committed any theft, this alone would not be sufficient to implicate the petitioner for commission of the said offence

Learned State counsel assisted by ASI Surjit Singh does not dispute the fact that the parties have settled their dispute.

Resultantly, the petition is allowed and it is ordered that in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

(MANOJ BAJAJ)
JUDGE

20.04.2022

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No