

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-19980-2022
Date of decision : 20.07.2022

Lakhwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Sukhwinder Singh Dhillon, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.83 dated 11.12.2021 registered under Sections 457, 380 IPC (Section 411 IPC added later on) at Police Station Lakhewali, District Sri Muktsar Sahib.

On 11.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, as per the allegations levelled in the FIR, it is not the petitioner who had stolen the buffalo and it is Shani Singh and Akko Kaur, who have alleged to have stolen the buffalo and the baby buffalo. It is further submitted that the petitioner has not been named in the FIR. It is contended that the petitioner had purchased the buffalo without knowing the fact that the said buffalo had been stolen and at any rate, the said buffalo and the calf have already been recovered and the petitioner was initially granted interim stay. It is further contended that the petitioner is ready to join the investigation and cooperate with the investigation.

Notice of motion for 20.07.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

11.05.2022”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel has submitted that the petitioner has joined investigation on 18.07.2022 and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 11.05.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 11.05.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

July 20, 2022
Davinder Kumar

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