

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26460-2022 (O&M)
Date of Decision:-13.9.2022

Sonu ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ramandeep, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by ASI Badal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0095, dated 15.05.2022, Police Station City Sangrur, District Sangrur, Punjab, under Section 379 of IPC, 1860.
2. At the time of issuance of notice of motion, the following order was passed on 14.6.2022:

“The petitioner is praying of pre-arrest bail in case FIR No.0095 dt. 15.05.2022 registered under Section 379 of IPC, 1860 at Police Station City Sangrur, District Sangrur, Punjab.

As per the allegations in the FIR, a Hero Splendor Plus motorcycle was stolen by one Ajay Gagat, that the said motorcycle belongs to

the complainant and it was stolen on 26.04.2022 and the said accused is alleged to have implicated the petitioner as co-accused.

It is the contention of the counsel for the petitioner that the petitioner had not been named in the present FIR and only on the basis of disclosure statement made by the co-accused he is sought to be roped in, and there is also a considerable delay in lodging the FIR on 15.05.2022 in respect to theft which allegedly occurred on 26.04.2022.

Notice of motion for 09.08.2022.

At the asking of the Court, Mr.Karanbir Singh, AAG, Punjab accepts notice on behalf of the respondent-State. He, on instructions, from HC-Inderjit Singh, states that the petitioner was found to be in possession of 3 motorcycles without number plate.

Since the petitioner is sought to be roped in, in the instant case only on the basis of disclosure statement of the main accused, the petitioner is directed to appear before the Investigating/arresting Officer to join investigation and in the event of arrest of the petitioner, the Investigating/arresting officer shall release him on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Badal Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and he is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 14.6.2022 are

hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

13.9.2022

pankaj

(Gurvinder Singh Gill)
Judge

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