

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

**CRM-M-35653 of 2021(O&M)
Date of Decision: 30.08.2022**

Vikas Chouhan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Munish Puri, Advocate
 For the petitioner.**

Mr. C.L. Pawar, Addl. AG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 13 dated 30.01.2021, registered under Sections 406 and 120-B IPC at Police Station Sujanpur, District Pathankot.

The counsel for the petitioner submits that the petitioner has been falsely implicated in this case being the main contractor engaged to provide labour. The counsel for the petitioner further submits that the petitioner had not committed the theft of transformers and aluminum wire as has been alleged by the complainant. The counsel for the petitioner further submits that as per the status report dated 10.09.2021 filed on behalf of the State, on 12.11.2020 the entire labour went to their houses for 10-15 days but did not return for a period of about one month, on which the complainant got suspicious and then on 10.12.2020 the store was checked on which five transformers of 63 KVA, five transformers of 10 KVA and 6560 meters of aluminum wire were found missing and the complainant was of firm belief that said theft was committed by contractor Balram Singh and his labour.

The counsel for the petitioner further submits that there are no specific allegations against the petitioner who has already joined the investigation with the police.

The State counsel on instructions from ASI Surender Kumar has not refuted the fact that the petitioner has joined the investigation and further submits that main accused Balram Singh and one Gautam were arrested by the police and challan against them has been presented in the Court concerned. The State counsel further submits that the petitioner is not required for any further investigation and supplementary challan would be filed against him in the near future.

I have considered the submissions made by counsel for the parties.

In the light of the above, without commenting on the merits of the case the present petition is allowed and the order of interim bail dated 15.09.2021 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

30.08.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**