

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

218

CRM-M-40942-2021

Date of Decision: 17.02.2022

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Bikramjit Singh Bajwa, Advocate, for the petitioner.

Mr. M.S.Dullat, Addl. AG, Punjab.

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.44 dated 10.6.2021 at Police Station Ghanie Ke Bangar, District Batala under Sections 379 and 427 of Indian Penal Code.
2. At the time of issuance of notice of motion on 30.09.2021, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.44 dated 10.6.2021 at Police Station Ghanie Ke Bangar, District Batala under Sections 379 and 427 of Indian Penal Code.

The allegations, in nutshell, are to the effect that an electricity transformer installed in the area of Village Aliwal Arayian had broken down having overheated and burnt. Upon the same having been examined by the officials of Electricity Department, it was found that somebody had stolen oil from the said transformer. It is further the case of prosecution that during the course of investigation Gurjit Singh @ Bhola, Harpreet Singh @ Goldy and Jhanda Singh @ Harman were

arrested and who suffered disclosure statements to the effect that they alongwith Mani and Amanat Masih had committed the theft of oil from the transformer in question and had sold the said oil to Satnam Singh (petitioner).

Learned counsel for the petitioner has submitted that even if the allegations as levelled in the FIR are taken to be correct, still the petitioner is not alleged to have stolen the oil in question and at best it could be said that he had purchased the said oil. It has further been submitted that, in any case, there is nothing on record to suggest that Satnam Singh was aware that the said oil had been stolen from some electricity transformer.

Notice of motion for 17.2.2022.

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

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation. It has, however, been informed that there are 4 other cases registered against the petitioner pertaining of offence under Section 379 IPC.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and his custodial interrogation is not required, the petition is accepted and the interim directions issued by this Court vide order dated 30.09.2021 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.

17.02.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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