

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

**CRM-M-38172-2022**

**Date of Decision: 15.09.2022**

**Amrik Singh**

**.....Petitioner**

**Vs.**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. DPS Joura, Advocate, for the petitioner.  
Mr. Ramdeep Partap Singh, Sr. D.A.G., Punjab.

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**VIKAS BAHL, J. (Oral)**

This is the second petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 128 dated 16.09.2021, under Sections 379/411/420/465/468/471/482 of the IPC, registered at Police Station City-1, Melerkotla, District Sangrur.

On 26.08.2022, this Court was pleased to pass the following order:-

*“This is second petition filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.128 dated 16.09.2021 registered under Sections 379/411/420/465/468/471/482 of the Indian Penal Code, 1860 at Police Station City-I, Malerkotla, District Sangrur, Punjab.*

*Learned counsel for the petitioner has submitted that first petition bearing No.CRM-M-36912-2022 for grant of anticipatory bail to the petitioner was dismissed as withdrawn on 22.08.2022 with liberty to file a fresh petition after giving better and full particulars.*

*Learned counsel for the petitioner inter alia contends that although, the petitioner has been named in the secret information but the alleged stolen car has been recovered from Naresh Kumar and not from the present*

*petitioner and the present petitioner was not even apprehended at the spot and since, the car has already been recovered, thus, nothing is to be further recovered from the present petitioner.*

*Notice of motion for 15.09.2022.*

*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.”*

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

Learned State counsel, on instructions fro ASI Rajinder Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 26.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 26.08.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final 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 application.

September 15, 2022

nitin

(VIKAS BAHL)

JUDGE

Whether speaking/reasoned

Whether Reportable

Yes/No

Yes/No