

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

CRM-M-47230-2021 (O&M)

Date of Decision:- 14.11.2022

Kulwinder Singh @ Pappu

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kanwaljeet Singh, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Jang Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.84, dated 14.7.2021, Police Station Sadar Raikot, District Ludhiana Rural, under Sections 380, 457 IPC.
2. At the time of issuance of interim bail the following order was passed on 11.11.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 84, dated 14.7.2021, Police Station Sadar

Raikot, District Ludhiana Rural, under Sections 380, 457 IPC.

As per the allegations in the FIR, 7400 empty jute bags were stolen from the sheller of the complainant along with a machine, used for stitching the same. The complainant has alleged that 5-6 persons entered into his sheller by scaling rear wall on the night between 13/14.7.2021 and had stolen the jute bags.

Learned counsel for the petitioner submits that he is nowhere named in the FIR and came to be nominated subsequently on the basis of some disclosure statement allegedly made by co-accused and in fact he has been nominated while he was in custody in connection with the other case.

Notice of motion for 21.3.2022.

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 the 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 from ASI Jang Singh, has submitted that the petitioner has joined investigation and is not required for any custodial interrogation although he is stated to be involved in other similar cases as well.
4. In view of the aforestated position wherein the petitioner has joined investigation and he is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions

issued by this Court vide order dated 11.11.2021 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.

14.11.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No