

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

CRM-M-48592 of 2022

Date of Decision: 11.11.2022

Jaya Aditya @ Jai Aditya

...Petitioner

Versus

State of Punjab

...Respondents

CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Arun Sharma, Advocate,
for the petitioner

Mr. G.S.Sandhu, DAG, Punjab.

ASHOK KUMAR VERMA, J.

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.077 dated 21.4.2022 under Sections 379, 411 of the IPC registered at Police Station City, District Hoshiarpur.

Learned counsel for the petitioner, *inter alia*, submits that the only allegation against the petitioner is that Activa scooter was recovered outside the house of the petitioner. The offence levelled against the petitioner is triable by Judicial Magistrate 1st Class. Nothing is to be recovered from the petitioner. The petitioner is already ready and willing to join investigation..

Notice of motion.

On the asking of the Court, Mr. G.S.Sandhu, DAG, Punjab accepts notice on behalf of the State of Punjab.

Learned counsel for the State vehemently opposes the grant

of anticipatory bail to the petitioner on the ground that the offence against the petitioner is serious in nature and his custodial interrogation is required.

I have heard learned counsel for the parties and gone through the paper-book.

Admittedly, Aactiva scooter has already been recovered and nothing is yet to be recovered from the petitioner and as such his custodial interrogation is not required. Moreover, the offence is triable by Judicial Magistrate 1st Class.

Considering overall facts and circumstances of the present case, this petition is disposed of with a direction to the petitioner to join investigation and remain present for investigation, as and when called for. In the event of his arrest, the petitioner shall be released on bail on furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the conditions as specified under Section 438 (2) Cr.P.C. In case the petitioner fails to adhere to the terms and conditions as envisaged in this order, the State would always be at liberty to revive this petition by filing an application in this regard.

(ASHOK KUMAR VERMA)
JUDGE

11.11.2022
MFK

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No