

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-53959-2021 (O & M)

Date of decision: 06.04.2022

Rajbir Singh

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vikram Singh, Advocate, for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The petitioner seeks grant of the anticipatory bail under Section 438 Cr.P.C. in a case bearing FIR No.283 dated 25.09.2021 under Section 379 IPC at Police Station Ateli, District Mahendergarh.

As per the order dated 23.12.2021, the petitioner was granted the concession of interim anticipatory bail and was asked to join the investigation.

The learned State counsel on instructions from HC Chanderbhan submits that the petitioner has joined the investigation but not co-operating because the cables and machines allegedly stolen by him have not been recovered.

A perusal of the interim order dated 23.12.2021 would reveal that the FIR, in question, has been registered on account of business rivalry by a competitor who is the complainant. Mere non-recovery of the alleged stolen goods cannot amount to non-cooperation in the investigation.

In this view of the matter, the interim order dated 23.12.2021 passed by this Court, is made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

April 06, 2022	(JASJIT SINGH BEDI)
sukhpreet	JUDGE
Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No