

CRM-M-11167 of 2023

[1]

2023:PHHC:083118

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205-A

CRM-M-11167 of 2023

Date of decision:03.07.2023

Gurwinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

1. On 29.03.2023, this Court passed the following order:-

“The petitioners are seeking anticipatory bail in the case bearing FIR No. 0009 dated 18.01.2023 under Sections 457 and 380 IPC (Sections 420/467/468, 120-B IPC added later on) registered at Police Station Sadar Patti, District Tarn Taran.

Separate replies by way of affidavit of Satnam Singh Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran, in both the cases have been placed on record.

Briefly, the FIR has been registered at the instance of Gurwinder Singh-petitioner alleging that he is working as Area Security Officer and posted at Soma Godown village

Chuslewar. During the intervening night of 17/18-01-2023, petitioner-Gurjant Singh in connivance with others have committed theft of 70 bags of wheat.

Learned counsel for the petitioner-Gurwinder Singh contends that initially, the FIR was registered at the instance of Gurwinder Singh. Subsequently, he has been nominated as an accused on the basis of representation submitted by Kishan Sangrash Committee.

Learned counsel for the petitioner-Gurjant Singh submits that the petitioner is only working as Security Guard and is not in any manner connected with the theft of 70 bags of wheat.

Learned counsel for both the petitioners contend that the petitioners have been stated to be nominated on the basis of disclosure statement of Angrej Singh, co-accused, recovery of 70 bags of wheat i.e. stolen property has been effected and arrest of three co-accused have been effected, who have been granted regular bail.

Adjourned to 03.07.2023.

In the meanwhile, the petitioners are directed to join investigation and in the event of their arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.

Photocopy of this order be placed on the connected file.”

2. Upon instructions received from ASI Harpal Singh, State counsel submits that petitioner has joined the proceedings, cooperated with the Investigating Agency and he is no longer required for custodial interrogation.

3. In view of the above facts, but without commenting on the merits of the case, present petition is allowed. Order dated 29.03.2023 is made absolute, subject to the fulfillment of conditions laid down in Section 438(2) Cr.P.C.

July 03, 2023
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No