

2023:PHHC:060971

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

CRM-M-16087-2022
Date of Decision: 28.04.2023

MANOJ KUMAR

.... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Arshdeep Kaur, Advocate for
Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. M. S. Nagra, A.A.G., Punjab.

VIKRAM AGGARWAL, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.0034, dated 23.03.2023, under Section 379 IPC (Sections 411 and 483 IPC added subsequently), Police Station City Ahmedgarh, District- Malerkotla, Punjab (Annexure P-1).

2. On 21.04.2022, the following order was passed:-

“The learned counsel for the petitioner has submitted that in the present case the petitioner has been nominated on the basis of a disclosure statement made by one of co-accused against whom the allegations are that they have made theft of a motor cycle and as per the allegations the petitioner has purchased the motor cycle at a lower rate. Learned counsel submitted that the petitioner had only purchased the motor cycle for bona fide consideration and was not even aware of the fact that as to whether it was stolen or not.

Notice of motion.

Mr. Davinder Bir Singh, DAG, Punjab accepts notice on behalf of the State of Punjab and prays for some time to seek instructions.

Adjourned to 19.10.2022.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be

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released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do do and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned counsel representing the State of Punjab, on instructions from ASI Ravi Dutt, states that in compliance of the order passed by this Court on 21.04.2022, the petitioner has joined investigation and his custodial interrogation is not required.

4. Keeping in view the fact that the petitioner has joined investigation as also keeping in view the statement given by learned counsel representing the State of Punjab, the order dated 21.04.2022 is made absolute.

The present petition is accordingly disposed of.

(VIKRAM AGGARWAL)
JUDGE

April 28th, 2023

M.Sikka

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No