

**207 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-20325-2023 (O&M)****Date of Decision: 20.07.2023**

Arun @ Arun Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Shiv Charan Bhola, Advocate,
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab
assisted by ASI Sucha Ram.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.61 dated 10.04.2023, under Section 381 read with Section 34 IPC registered at Police Station City, District Rupnagar.

2. Petitioner has been indicted for theft of shirts from his place of work i.e. Affroots Online Private Limited, Beant Singh Nagar, Near Makbara, Rupnagar.

3. The Coordinate Bench vide order dated 25.04.2023, granted interim bail to petitioner and the same reads as under:-

“Learned counsel for the petitioner inter alia submits that there is no CCTV footage or any documentary evidence to even prima facie establish the involvement of the petitioner as regards stealing of clothes.

Notice of motion for 20.07.2023.

In the meanwhile, petitioner will join investigation before the Investigating Officer as and when called. In the event of his

arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 25.04.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending criminal misc. application(s), if any, shall also stand disposed off.

20.07.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No