

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-31186-2023

Date of decision: 02.09.2023

Gopal Singh alias Pal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kamal Gupta, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0026 dated 07.02.2023 under Sections 379, 34 of the IPC (Sections 411 and 414 of the IPC added lateron) registered at Police Station Sadar Patti, District Tarn Taran.

2. On 03.07.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel contends that as per the allegations in the FIR itself, various thefts took place in the premises where the petitioner alongwith two persons, namely, Jagtar Singh and Vipran Kumar was employed as security guard. He submits that the complainant alleged theft of iron and silver goods on 05.02.2023, wherein the petitioner has been named by him alongwith others, but according to the learned counsel the allegations by complainant are not believable as he never reported the alleged theft previously.”

3. Learned counsel for the petitioner submits that in compliance of order dated 03.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Gurmej Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 03.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

02.09.2023

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(MANJARI NEHRU KAUL)
JUDGE

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