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

CRM-M-44165-2020
Decided on : 11.04.2023

Rajinder Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Tarun Singla, Advocate
for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No.137 dated 28.07.2020 registered under Sections 380/34 IPC at Police Station Kotwali, District Bathinda.

Vide order dated 28.12.2020, petitioner was granted the concession of anticipatory bail in the following terms:-

“The FIR in the present case was lodged at the instance of Vijay Kumar, wherein it is alleged that on 28.07.2020, two unknown motorcyclists had committed theft of gold ornaments worth Rs.7 lakhs from his house alongwith cash. On the basis of CCTV footage, Samma and Jatinder @ Gagan were nominated as accused on 05.08.2020 and pursuant to a disclosure statement made by accused Samma, gold ornaments weighing 23 grams were recovered from him.

It is further the case of the prosecution that the complainant Vijay Kumar made a supplementary statement on 06.10.2020 nominating Meenal Suman and Shivani to whom gold ornaments were handed over by Samma and Jatinder, who further sold the same to the jewellers, namely, Rajinder Kumar @ Billu and Suraj Chawla.

Learned counsel for the petitioner has submitted that even as per the FIR, there is no allegation of theft against him and the only allegation is to the effect that he had purchased the gold ornaments from Meenal Suman and Shivani.”

Learned counsel for the petitioner states that pursuant to order dated 28.12.2020, passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions states that the petitioner is no longer required for further interrogation.

In view of the above, the petition is allowed and interim order dated 28.12.2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

11.04.2023

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No