



212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7226-2024 (O&M)
Date of Decision: 13.05.2024

Ajay Kumar Petitioner

Versus

State of Punjab Respondents

CORAM : HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.Munish Puri, Advocate for the petitioner.

Mr.Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.(ORAL)

FIR No.	Dated	Police Station	Sections
16	25.01.2024	Division No.2, Pathankot	379 and 506 IPC

1. The petitioner, apprehending arrest in the FIR captioned above, has come up before this Court under Section 438 CrPC.
2. Vide order dated 12.02 .2024, a Coordinate Bench of this Court had granted interim bail to the petitioner and passed the following order:-

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.16, dated 25.1.2024 at Police Station Division No.2, Pathankot, under Sections 379 and 506 of Indian Penal Code.

The allegations levelled in the FIR are to the effect that Government of Punjab had put up various flex boards highlighting the achievements of Chief Minister, Punjab. However, it was found that several of these flex boards are being removed and taken away during night by unauthorised persons. It came to be known that Shri Ajay Kumar son of



Suresh Kumar, who is running a printing press under the name and style of 'M/s Shri Satguru Flex Printing, Nehru Nagar Chowk, Dhaki Road, Pathankot, had removed the same. When a team of Municipal Corporation checked the roof of his shop, then the said boards were recovered apart from several frames used for mounting the flex.

Learned counsel for the petitioner submitted that the petitioner is a young boy aged about 23 years and is pursuing studies through correspondence while also doing small time job to bear his expenses for his education. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on account of some political rivalries. It has been submitted that the petitioner otherwise has a clean record.

Notice of motion for 13.5.2024.

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

It is clarified that the aforesaid order shall enure offence under Section 411 IPC as well."

3. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on account of some political rivalries. He further submits that the petitioner has joined the investigation and co-operated with the same and would have no objection if this Court imposes any condition and he would voluntarily comply with the same.

4. State counsel opposed the petition on the ground that the petitioner indulged in removing the flex boards used for highlighting the



achievements of Chief Minister, Punjab and that the said boards were recovered from the printing press run by him apart from several frames used for mounting the flex. State counsel did not refute the claim of petitioner’s joining of investigation.

5 This Court is not adjudicating the case at the stage of framing of charges or deciding a criminal trial but is only considering anticipatory bail where the parameters are totally different. It is neither a case for custodial interrogation nor pre-trial incarceration.

6. Given above, the petition is allowed and interim order dated 12.02.2024 is made absolute. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

13.05.2024
sunita

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