



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M No.15092 of 2024
Date of decision: 09.07.2024

BALJIT SINGH**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr.Ankush Rampal, Advocate for
Mr. Kushagra Mahajan, Advocate for the petitioner.

Mr. A.S. Samra, A.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 5, dated 24.01.2024, under Sections 380 and 457 of IPC (Section 411 of IPC added later on) at Police Station Verka, District Amritsar.

2. Vide order dated 22.03.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 22.03.2024, passed by this Court, reads as under:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.5, dated 24.1.2024 at Police Station Verka, District Amritsar, under Sections 380, 457 of Indian Penal Code, wherein offence under Section 411 IPC was added later on.

The FIR was lodged at the instance of Jaswant Singh, wherein it is alleged that on the night intervening 15/16.1.2024,



some thieves entered into their house and stole 70 kilograms of zips and zip locks from their house. Upon inquiries made by the complainant, he came to know that the theft had been committed by son of Deepu Madhu, Mani and Khanna resident of Mohan Nagar, Verka Amritsar. It is further the case of prosecution that subsequently when Mani and Khanna came to be arrested and 16 kilograms of zips and zip locks were recovered from them, they made a disclosure statement upon interrogation that they had sold off 4 kilograms of zips and zip locks to Baljit Singh (petitioner).

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is a scrap dealer and that no sanctity can be attached to the alleged disclosure statement particularly in the absence of any other credible evidence to connect the petitioner with the allegations in question.

Notice of motion for 9.7.2024.

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.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 11.04.2024 and no recovery is yet to be effected from him and his custodial interrogation is not required.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 22.03.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

09.07.2024

Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned:

Whether reportable

:

Yes/No.

Yes/No