



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

CRM-M No.16662 of 2024
Date of decision: 1st August, 2024

Mandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.13 dated 30.01.2024 registered under Sections 379, 411 of the IPC registered at Police Station Subhanpur, District Kapurthala.

2. On 05.04.2024, while noticing the following submissions made by 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.

“As per allegations, complainant was going from Subhanpur towards his village on his new motorcycle make Platina 110 CC. He stopped the motorcycle to answer nature's call and kept the key of the motorcycle and the phone on the meter of the same. It is alleged that one motorcycle came from behind with three riders and



two of them started the motorcycle of the complainant and took it away along with the mobile.

Learned counsel contends that petitioner is not named in the FIR; that he has been nominated by co-accused Balbir and Nanak.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 05.04.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Davinder Pal Singh, does not dispute the factum of the petitioner having joined investigation. It has also not been disputed that the petitioner was not named in the FIR but came to be nominated as an accused in a disclosure statement allegedly suffered by co-accused Balbir and Nanak. However, it has been submitted by learned State counsel, on instructions, that the petitioner had not fully cooperated with the Investigating Agency as recovery of the stolen motorcycle had not been affected till date.

5. On further query put to the learned State counsel, he on instructions, has submitted that the two co-accused, on whose disclosure statement the petitioner was nominated as an accused, have since been extended the concession of regular bail.

6. In the circumstances, the petition is allowed and the interim order dated 05.04.2024 is made absolute subject to the conditions laid



down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

August 1, 2024
rps

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