



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-21748-2024 (O&M)
Date of Decision:- 05.08.2024

Gurpreet Singh alias Nikka Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Singla, Advocate, for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab,
assisted by ASI Nachattar Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
0014	07.02.2024	Jaito, District Faridkot	457 and 380 IPC (Section 411 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
- At the time of issuance of interim bail the following order was passed on 02.05.2024 by a Co-ordinate Bench:

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.0014 dated 07.02.2024, under



Sections 457 and 380 of IPC (Section 411 IPC added later on), registered at Police Station Jaito, District Faridkot.

As per the allegations of the prosecution, a secret information was received by the police on 07.02.2024 that a theft had taken place at Ambedkar Nagar Church on the night intervening 19/20.01.2024 and that the thieves broke the door and took away gas furnace, gas stove, steel plates and flour weighing 40 Kgs. Information was further to the effect the devotees of the Church on making inquiries had come to know that the theft was committed by petitioner, Sukhpreet Kaur and Jashandeep Singh.

Learned counsel for the petitioner contends that the FIR is based on the basis of a secret information without any credence to substantiate the allegations. Learned counsel further submits that the similarly placed co-accused, namely, Sukhpreet Kaur has already been granted the interim pre-arrest bail by this Court vide order dated 04.03.2024 passed in CRM-M-11423-2024 (Annexure P-3).

Notice of motion.

Mr. Gurpartap Singh Bhullar, AAG, Punjab accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Adjourned to 05.08.2024 for filing status report.

To be heard alongwith CRM-M-11423-2024.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He



shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

- 3. Learned State counsel has submitted that the petitioner has joined investigation but has not cooperated inasmuch as he has not got the recovery of donation box, storage box and *bhatti* (cooking stove) recovered.
- 4. This Court has considered the rival submissions.
- 5. The petitioner admittedly has joined investigation. Non-recovery of the aforesaid articles cannot be made a ground for declining the petition. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 02.05.2024 are hereby made absolute subject to the condition that the petitioner shall join 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.

05.08.2024
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No