



210

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22219-2024
Date of Decision:- 29.08.2024

VISHAL KUMARPetitioner

Vs.

STATE OF PUNJAB ...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. B.S. Aulakh, Advocate for petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Vishal Kumar has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.210 dated 01.12.2023 under Sections 379, 411 of IPC registered at Police Station City Malout, District Sri Muktsar Sahib.

2. As per the facts of case, on 01.12.2023 ASI Kulwinder Singh and police party was on routine patrolling for checking suspicious persons. The Investigating Officer while present at Bathinda Chowk, Malout received information from reliable source that Sahil Kumar, Rohit and Aman @ Mota @ Bachi are habitual of stealing gold and cash from the houses and they further sell it. On that day stolen gold and other ornaments

can be recovered from the possession of Sahil Kumar. On the basis of this



information present FIR was registered. Sahil Kumar was arrested and from his possession 32.530 grams gold and 86 grams silver were recovered. During interrogation he named Rohit and Aman @ Mota @ Bachi and further claimed that they sold said stolen articles to Vishal Kumar present petitioner.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He was granted interim bail vide order dated 06.05.2024 and accordingly he has joined the investigation. Therefore, interim bail granted in his favour may be confirmed.

4. Status report is filed which is taken on record. Learned counsel representing State confirmed that petitioner has joined the investigation. He is not required for any other purpose. In the status report it was mentioned that considering the gravity of offence he may not be granted anticipatory bail.

5. I have considered the arguments and have gone through the record. Present petitioner was named by co-accused Sahil Kumar. It was claimed that stolen articles were sold to the present petitioner. So far as petitioner is concerned, he has already joined the investigation and is not required further. Learned counsel for petitioner further stated that even now petitioner is ready to join investigation as and when required. Therefore, no purpose would be served by sending petitioner behind the bars.

6. Considering the aforesaid factual position, anticipatory bail application filed by petitioner is allowed. In case petitioner is arrested, he be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer subject to the condition that petitioner will



join the investigation as and when required. He will not tamper with or interfere with the investigation and will not leave the country without prior permission as provided under Section 438 (2) Cr.P.C.

7. The petition is accordingly accepted.

8. My observations are made for the disposal of this petition and it will have no bearing on merits of case.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

29.08.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No