



CRM-M-25760 of 2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

130

CRM-M-25760 of 2024
Date of Decision: 21.05.2024

Jagjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sahil Nain, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.09 dated 12.03.2023, under Sections 379 of the IPC, 1860 (Section 411 of IPC added later on), registered at Police Station Sadar Kapurthala, District Kapurthala.

Learned counsel for the petitioner would contend that the petitioner has no role whatsoever attributed in the FIR and nothing has been recovered from his possession out of the alleged articles stolen by co-accused Nachhatar Singh.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab, accepts notice on behalf of respondent-State. A copy of the paper book be supplied to him during the course of the day.

In the light of the aforesaid fact that nothing is to be recovered from the possession of the petitioner and the recovery of alleged stolen articles

**CRM-M-25760 of 2024****-2-**

already stands effected from the co-accused Nachhatar Singh, the custodial interrogation of the petitioner is not required, at this stage.

This Court has also in consonance with the argument of judicial principle that bail is a rule and jail is an exception and once there is no recovery to be effected from the petitioner admittedly as by the stand of the prosecution itself, there is no reason for this Court to deny the concession of anticipatory bail made in the instant petition.

Accordingly, the petitioner is directed to join the investigation within one week from today and in the eventuality of arrest of the petitioner in the instant case, he shall be released on anticipatory bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer.

It is made clear that if the petitioner fails to join the investigation within the stipulated period, the anticipatory bail granted to him shall automatically stands cancelled.

With these observations, the present petition is disposed of. However, the petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

21.05.2024*D.Bansal***(SANDEEP MOUDGIL)
JUDGE**

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