



bail orders dated 07.06.2024, final bail order dated 22.07.2024 as well as C.D which are annexed with the application as Annexures A-1 to A-6 respectively.

For the reasons stated in the application, the same is allowed, subject to all just exceptions. Accompanied documents along with annexures are ordered to be taken on record.

Main Case

Through the instant petition, prayer is made for grant of anticipatory bail to the petitioner in case arising out of FIR No. 21 dated 01.02.2024 under Sections 379, 506 read with Section 34 IPC registered at Police Station Basti Bawa Khel, District Jalandhar on the basis of statement recorded by the complainant - Ramesh Kumar alleging therein that he was employed as a driver of vehicle bearing PB74-C-5562 and the registered owner of this vehicle was Sukhwinder Sahota. He used to park his car in front of his house as registered owner of the vehicle has no space to park the car. It is alleged by the complainant that his wife- Lakshmi @ Jassi had illicit relations with the present petitioner. On 25.02.2023, fight had taken place between the complainant and his wife and on that day the petitioner was also present. Thereafter, the petitioner and his wife had taken away the aforementioned car and even the complainant was thrown out of the house along with his son. It is therefore, he has prayed for taking action against them.



After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved pre-arrest bail application which had been dismissed by learned Addl. Sessions Judge, Jalandhar vide order dated 12.06.2024. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of about one year in lodging of the FIR. Registered owner of the vehicle had not lodged any such FIR. This FIR is filed at the behest of the complainant who is husband of the co-accused Lakshmi@Jassi. It is submitted that car in question is not in custody of the petitioner rather the same is with the registered owner only and this fact is clearly reflected from e-challan details (Annexure P-3) dated 02.03.2024. Learned counsel for the petitioner has also drawn attention of this Court towards transcript of conversation having taken place between the coaccused and registered owner-Sukhwinder Sahota of the alleged stolen vehicle. Further stated that he has nothing to do with car in question. It is further stated he is not required for custodial interrogation. He is ready to join the proceedings. No recovery is to be effected from the petitioner.

Learned State counsel who has advance notice of the petition seeks time to file status report.

Adjourned to 12.09.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation



within one week or as and when subsequently required thereafter.

In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 09.08.2024 and he is not required for custodial interrogation.
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 08.08.2024, 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.

12.09.2024

Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No