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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : May 14, 2024

SARABJIT SINGH ALIAS SARAVJEET SINGH ALIAS SABI

-PETITIONER

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Diwan S. Adlakha, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. On 04.12.2023, a Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Counsel for the petitioner contends that although petitioner is named as one of the accused in the FIR, Annexure P-1, but the missing 12 wheeler truck was loaded with iron bars (saria) worth Rs. 20.92 lakhs by his brother, Harpreet Singh. He submits that the truck as well as Gurjeet Singh @ Buntty, petitioner's brother are missing and a complaint dated 10.05.2023, Annexure P-4, which is followed with a petition under Section 156 (3), Cr.P.C., Annexure P-7, has been submitted, but without any result. Counsel submits that the petitioner, who has been falsely implicated and has a clean past, is prepared to join the investigation.

List on 15.02.2024.

Petitioner is directed to appear before the Investigating Officer on 20.12.2023 at 11.00 A.M. at Police Station Mandi Gobindgarh, District Fatehgarh Sahib, and join the investigation



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and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

2. The learned State counsel has opposed the grant of anticipatory bail to the petitioner, on the ground that, the petitioner’s brothers, namely, Harpreet Singh (owner of the truck) and Gurjeet Singh @ Bunty (driver of the truck) have misappropriated 30.140 tonnes of iron bars, thereby causing loss of Rs.20,92,782/- to the complainant’s firm.

3. Although the learned State counsel has opposed the grant of anticipatory bail to the petitioner, however, on instructions imparted to him by A.S.I. Rajinder Singh, he has informed this Court that, in compliance of the order extracted hereinabove, the petitioner had joined the investigation. Moreover, it is also not under dispute that the petitioner has no concern whatsoever with the truck concerned. Not only this, it is also not under dispute that, petitioner’s brother Harpreet Singh has got registered an FIR regarding missing of his brother Gurjeet Singh @ Bunty and the truck concerned.

4. In view of the above, the hereinabove extracted interim order dated 04.12.2023, as made by a Co-ordinate Bench of this Court, is hereby made **absolute**, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any



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other incident that involves commission of an offence.

6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

May 14, 2024
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(KULDEEP TIWARI)
JUDGE

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