



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40527-2024
Date of Decision:22.08.2024

Ram Pal ...Petitioner
vs.
State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat
Present : Mr. J.K Singla, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.62 dated 14.07.2024 under Sections 303(2), 317 (2) of B.N.S.S, registered at Police Station Khanauri, District Sangrur (Annexure P-1).
2. Learned counsel for the petitioner contends that for the same offence, another FIR No. 132 dated 14.07.2024 under Section 379 and 34 of IPC, Police Station City-2, Mansa was registered against the petitioner and co-accused Bhola Singh. He further contends that vide order dated 24.07.2024 (Annexure P-3) passed by the Court of Additional Sessions Judge, Mansa, the petitioner has already been granted the concession of bail in the said case. He further submits that the second FIR on the same cause of action is not maintainable. He further contends that the petitioner is ready to join the investigation in the present case.
3. Notice of motion.

4. On the asking of the Court, Mr. I.P.S Sabharwal, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State.

5. On the other hand learned State counsel has vehemently opposed the submissions made by the petitioner on the ground that the petitioner is involved in a serious offence. However, he could not dispute the fact that with regard to the same occurrence i.e. FIR No. 132 dated 14.07.2024 under Section 379 and 34 of IPC, Police Station City-2, Mansa was registered and the petitioner has already been granted the concession of anticipatory bail by the competent Court in the said case.

6. I have heard learned counsel for the parties and perused the record.

7. From the submissions made by the learned counsel for the parties, it is an admitted fact that another FIR No. 132 dated 14.07.2024 has already been registered at Police Station City-2, Mansa with regard to the theft of the truck and the present FIR has also been registered on the same allegations. Thus, the custodial interrogation of the petitioner may not be required in the facts and circumstances of the present case.

8. Consequently, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 438 (2) of the Cr.P.C . It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438 (2) of the Cr. P.C.

(N.S.SHEKHAWAT)
JUDGE

22.08.2024
hitesh

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