

[209] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50843-2023
Date of Decision : 15.02.2024

Baljit Sharma @ Baljeet Sharma and others ...Petitioners
versus

State of PunjabRespondent

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Kanav, Advocate for
Mr. Parveen Chauhan, Advocate
for the petitioners.

Mr. Rajeev K. Thakkar, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

[1] On 12.10.2023, the following order was passed by this Court:-

“ Present: Mr. Ranjeet Kumar Jaswal, Advocate for the petitioners.

Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.70, dated 04.09.2023, under Sections 454, 380, 427, 506 and 34 of IPC, registered at Police Station Kheri Gandian, District Patiala.

Allegations are that petitioners committed theft of 2000 tiles lying on the roof, 07 tin sheets and other household articles after breaking the open the lock of the house belonging to the complainant. Complainant came to know about the said theft on 29.08.2023.

It is contended by learned counsel for the petitioners that the petitioners have been falsely implicated. In fact, a civil suit has already been filed by the petitioners on 04.09.2023, in which notice to the complainant was directed to be issued. It is only after filing of the suit that present FIR has been filed on 04.09.2023, despite the fact that the alleged occurrence took place on 29.08.2023.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of the respondent-State. Mr. Parveen Chauhan, Advocate has appeared and filed Vakalatnama on behalf of the complainant. A copy of paper book be supplied to them during the course of day.

Adjourned to 19.12.2023 for filing status report.

In the meantime, petitioners are directed to join investigation and co-operate in the same. They will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioners, they shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C. ”

[2] Today, learned State Counsel, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 12.10.2023 and is no longer required for further investigation.

[3] In view of the aforesaid, the order dated 12.10.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

[4] Disposed of.

(DEEPAK GUPTA)
JUDGE

15.02.2024
'Rajneesh'

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