

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.60646 of 2023
Date of decision: 28th February, 2024

Sanjeev Kumar @ Sanjeev Kumar Khanna

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Varsha Sharma, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0099 dated 18.07.2021 for the offences under Sections 380, 457 IPC (Sections 473, 120-B IPC added later on) registered at Police Station Khuian Sarwar, District Fazilka.

2. On the last date of hearing, i.e. 02.12.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel, inter alia contends that as per the allegations levelled in the FIR in question, the petitioner had allegedly purchased stolen property from the co-accused, however, it was a matter of record that all the co-accused, who allegedly committed the theft and who in turn sold the

articles to the petitioner, stood acquitted for offences under Sections 457, 380 of the IPC.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 02.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Lakhwinder Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 02.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

February 28, 2024
rps

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