

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-60416-2023 (O&M)
Date of Decision:-10.1.2024

Lucky ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhanu Udai, Advocate for
Ms. Mallika Dhillon, Advocate for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab,
assisted by ASI Paranjeet Singh.

FIR No.	Dated	Police Station	Section/s
202	12.10.2023	City Phagwara, District Kapurthala	457, 380, 120-B and 34 of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of the
aforementioned FIR.
2. The FIR was lodged at the instance of Amit Gupta, wherein it is alleged that
he is distributor for various products i.e. Coca-Cola, Pepsi, Lays, Perfetti, DC
Group, Redbull, Ride Bite, Cadbury, Pintola, Haldiram, Britannia Biscuits,
Parle-G, Tasty Demi Milk, Afgani Jeera and is into wholesale business. The
complainant alleged that his godown is situated in Purani Dana Mandi,

where the entire stocks are kept. It is alleged that he realized that some of the goods/articles were constantly being stolen. The complainant further alleged that Kuntal Duggal, Laddi alongwith 3 other persons namely Rohit, Love and Rama had been stealing goods from his godown. The complainant also alleged that he affixed some marking on the goods stocked in his godown and later found that Kuntal Duggal, who used to sell goods, approached him to sell those very goods, which had the same marking affixed by the complainant.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that the main allegations even as per the FIR are against co-accused Kuntal Duggal. It has further been submitted that the petitioner has been roped in mainly on the basis of a suspicion.
4. Opposing the petition, learned State counsel submitted that since the name of the petitioner specifically figures in the FIR and the complainant was able to confirm about the thefts when co-accused Kuntal Duggal approached the complainant to sell those very goods, which had been stolen from his godown, the complicity of all the accused is clearly evident.
5. This Court has considered the rival submissions addressed before this Court.
6. Having regard to the nature of allegations and the role allegedly attributed to the petitioner and also the fact that the petitioner is stated to be having clean antecedents, the instant petition is accepted and it is ordered that the petitioner, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when

called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

10.1.2024
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(Gurvinder Singh Gill)
Judge

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