

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.63049 of 2023

Date of decision: 1st March, 2024

Harpreet Singh @ Happy

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gursharan Singh, Advocate for the petitioner.

Mr. Navdeep Singh, 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.0068 dated 06.11.2023 for the offences under Section 379 IPC registered at Police Station Kahnuwan, District Gurdaspur.

2. On the last date of hearing, i.e. 15.12.2023, 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 senior counsel inter alia contends that though a suspicion was raised qua the involvement of the petitioner and his brothers in the theft of the tractor of the complainant, however, it was a matter of record that when the brothers of the petitioner were arrested, no recovery of the stolen tractor was effected from them and the petitioner was now being sought to be implicated only on the basis of a

*statement allegedly made by his brother before the police
that the tractor was in possession of the petitioner. ”*

3. Learned counsel for the petitioner submits that in compliance of the order dated 15.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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 15.12.2023 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

March 1, 2024
rps

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