



**CRM-M-40736-2024
& 01 connected case**

2

3. On 22.08.2024, following order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 72, dated 26.7.2024, Police Station City Morinda, District Rupnagar, under Sections 329(4), 305, 115(2), 351(2), 190 of BNS, 2023.

The allegations, in nutshell, are that on 26.7.2024 when the complainant went to the shop of Kiratwar in morning, in connection with some work, then he saw that Varinder Sharma @ Shanty accompanied by 5 unknown persons who were carrying ‘sticks’ and ‘kirpans’ were present near complainant’s shop from where he had been running business of cement. When the complainant went near his shop he saw that the shutter of the shop had been broken. The complainant further found that 40 bags of cement which were lying in the said shop were missing. It is alleged that Varinder Sharma and others had stolen 40 bags of cement by breaking open locks so as to take forcible possession of the shop.

Learned counsel submits that the matter in fact arises on account of a family dispute over property and that the complainant is cousin of the petitioner. It has been submitted that as per settlement deed dated 20.10.2023 (Annexure P-3), the shop in question had fallen to the share of petitioner’s father.

Notice of motion for 08.01.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim 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 Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

4. Learned State counsel, on instructions from SI Harjinder Singh, submits that in compliance of order dated 22.08.2024 passed by this Court, the



CRM-M-40736-2024
& 01 connected case

petitioners have joined the investigation and are not required for further custodial interrogation.

5. Keeping in view the statement made by learned State Counsel, the order dated 22.08.2024, is made absolute. The petitioners shall abide by the terms and conditions enumerated in Section 438 (2) Cr.P.C./ (482(2) B.N.S.S.)

6. The petitions are accordingly disposed of.F

7. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

January 14, 2025
manisha

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No