
(2022) 05 P&H CK 0117

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 23345 Of 2022

Pardeep

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision : 26-05-2022

Acts Referred:

Indian Penal Code, 1860 — Section 201, 380, 454
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2022) 05 P&H CK 0117

Hon'ble Judges : Arvind Singh Sangwan, J

Bench : Single Bench

Advocate : Naveen Siwach

Final Decision : Allowed

Judgement

Arvind Singh Sangwan, J

The petitioner prays for grant of anticipatory bail in FIR No. 4 dated 05.01.2022, registered under Sections 380, 454, 201 of the IPC at Police Station Bilga, District Jalandhar.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR, where the allegations are that some unknown persons have committed theft of the batteries lying in a mobile phone tower.

Learned counsel further submits that two of the co-accused, namely Vijay Kumar and Savej, were arrested and they disclosed the name of the petitioner that he is an employee of Airtel Company and thereafter, he has been named in the present case.

It is further submitted that aforesaid two co-accused have already been granted the concession of bail by the trial Court, vide order dated 19.01.2022.

Learned counsel further submits that the petitioner is a first offender and he is not involved in any other case.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that it has come in the disclosure of the co-accused that it is the petitioner, who has called them for handing over the stolen batteries.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the fact that the petitioner is not involved in any other case and the co-accused, on whose disclosure the petitioner was involved in this case, have already been granted the concession of bail by the trial Court as noticed above, the present petition is allowed and the petitioner is granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.