

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-23596 of 2015 (O&M)
Date of decision: 15th December, 2015

Jaswant Singh Pannu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. R.S.Randhawa, Addl. A.G., Punjab,
for the respondent(s)-State.

Mr. H.S.Dhaliwal, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner has preferred the instant petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.84 dated 28.10.2014, registered at Police Station Division No.6, Jalandhar, under Sections 420, 465, 467, 468, 471, 120-B IPC.

Notice of motion was issued.

Learned State counsel as well as learned counsel for complainant have appeared and contested the instant petition.

I have heard learned counsel for the petitioner, learned State counsel as well as learned counsel for complainant and have gone through the record.

The FIR in the present case has been registered on the

basis of application filed by complainant against Amarjit Singh and Gurmit Singh. Perusal of the FIR shows that the petitioner is not named in the FIR and no role has been attributed to him. The report under Section 173 Cr.P.C. has already been presented against co-accused in the said FIR case but no report under the aforesaid Section has been filed against the petitioner. Even the petitioner has not been summoned by the Court on the application under Section 319 Cr.P.C. In the challan, presented against co-accused, it is written that no sufficient evidence has been collected against the petitioner to file report under Section 173 Cr.P.C.. It is contended that an inquiry is being conducted and, feeling threat, the petitioner has filed the instant petition for grant of anticipatory bail.

The petitioner has already joined the investigation. He is not required for custodial interrogation.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the order dated 03.08.2015, passed by this Court, granting interim bail to the petitioner is made absolute.

15th December, 2015
mamta

(INDERJIT SINGH)
JUDGE