

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-41417 of 2014
Date of Decision:- 06.01.2015

Jagjot Singh @ Jotta and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

**Present: Mr. Gagandeep Singh Sirphikhi, Advocate,
for the petitioners.**

**Mr. J.S. Sekhon, Assistant Advocate General, Punjab,
for the State.**

MEHINDER SINGH SULLAR, J.(oral)

Petitioners have preferred the instant petition for the grant of anticipatory bail, in a case registered against them, vide FIR No.94 dated 03.11.2014, on accusation of having committed the offences punishable under Sections 354, 354-A and 506 read with Section 34 IPC, by the police of Police Station Sekhwan, Tehsil Batala, District Gurdaspur.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on 04.12.2014 : -

“Learned counsel, inter alia, contended that the petitioners have been falsely implicated in this case by the complainant on account of previous enmity and in order to wreak vengeance. The argument is that in fact no such occurrence has taken place as projected by the prosecution. Moreover, nothing is to be recovered from the petitioners.

Heard.

Notice of motion be issued to the respondent, returnable for 06.01.2015.

Meanwhile, the petitioners are directed to join the investigation before the next date of hearing. In the event of their arrest, the Arresting Officer would admit them to bail on their furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- each to his satisfaction.”

5. At the very outset, on instructions from ASI Rajinder Singh, learned State Counsel has acknowledged the relevant factual matrix and submitted that the petitioners have already joined the investigation. They are no longer required for further interrogation, at this stage. There is no history of their previous involvement in any other criminal case. Moreover, all the offences alleged against the accused are stated to be triable by the Court of Magistrate. Even, since the prosecution has not yet submitted the final police report (challan) against the accused, so, the final conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for anticipatory bail is accepted. The interim bail already granted to the petitioners, by virtue of indicated order of this

Court, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case, as the same has been so recorded for a limited purpose of deciding the present petition for anticipatory bail. At the same time, in case, the petitioners do not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of their bail, in this Court.

January 06, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE