

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M No. 5350 of 2015 (O&M)
Date of decision: 15.05.2015**

Jaskirat Singh Petitioner.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. K.S. Dhillon, Advocate, for the petitioner.

Mr. K.S. Pannu, DAG, Punjab, for the respondent.

NAVITA SINGH, J. (ORAL)

The petitioner has joined investigation in terms of order passed on the last date.

It is submitted by the State counsel that he produced proof of his identity as Jaskirat Singh.

Counsel for the petitioner submits that the petitioner is Jaskirat Singh and not Jasmeet Singh and that they are two different persons. Since he apprehends arrest at the hands of the police, he is entitled to the relief under Section 438 of the Code of Criminal Procedure.

However, State counsel submits that the person, who apprehends arrest for non-bailable offence, can move the Court, whereas if the petitioner is Jaskirat Singh, he is not accused of commission of any non-bailable offence. It is also submitted by the State counsel that the name of both the parents of Jaskirat Singh and Jasmeet Singh are the same. It is, therefore, highly improbable that Jaskirat Singh and Jasmeet Singh are two

different persons because the name of one of the parents may be same, but the name of both the parents being the same is a peculiar pointer in that direction.

Since Jaskirat Singh petitioner submits that he is not Jasmeet Singh, he being not accused of any commission of offence is not entitled to any relief under Section 438 of the Code of Criminal Procedure.

Dismissed.

(NAVITA SINGH)
JUDGE

15.05.2015
Ramesh