

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-39987 of 2015 (O&M)
Date of Decision: 29.01.2016

Jobanjit Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Nakul Sharma, Advocate for the petitioner.

Ms. Anmol Grewal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.67 dated 29.10.2015 under sections 379, 411 I.P.C read with sections 25, 54, 59 of Arms Act, registered at Police Station, Rangar Nangal, Police District Batala, District Gurdaspur.

On 5.12.2015, while issuing notice of motion, the following order was passed by this Court:-

“Learned State counsel submits that petitioner is required for the purpose of investigation. State may, however, be given liberty to seek his custodial interrogation if he does not cooperate.

One opportunity is granted to the petitioner to cooperate with the investigating agency. He may join the investigation forthwith. In the event of his arrest, however, the petitioner shall be released on bail to the satisfaction of Arresting/Investigating Officer subject to the following conditions:-

i) He shall make himself available for interrogation by a police officer as and when required;

ii) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with

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the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

iii) He shall not leave India without the previous permission of the Court.

To come up on 29.01.2016.

Liberty to the investigating agency as prayed for.”

During the course of arguments today it has gone uncontroverted that the petitioner is sought to be implicated only upon the disclosure statement of Amrit Pal Singh, who had been apprehended on the spot. Even as per prosecution version the present petitioner had fled away from the spot.

Present petition is opposed by learned State counsel by contending that even though petitioner has joined investigation but the requisite recovery as per disclosure statement of co-accused has not been effected till date.

The petitioner, otherwise, is stated to be not involved in any other criminal proceedings.

In an overview of the matter and the petitioner having already joined investigation, he is held entitled to the concession of anticipatory bail. Accordingly, the present petition is allowed. The order dated 5.12.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

29.01.2016
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