

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

CRM-M-11643-2019

Date of decision-08.07.2019

Jasmeet Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Hittan Nehra, Addl.AG, Punjab assisted by
ASI Manjit Singh.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.05 dated 08.01.2019 (wrongly mention as 09.01.2019 in impugned order Annexure P-2) under Sections 323, 365 and 307 read with Section 34 of Indian Penal Code registered at Police Station 'B' Division, Amritsar, District Amritsar. The petitioner apprehend his arrest at the hands of Police.

On 14.03.2019, while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner submits that main accused-Amardeep Singh @ Raja has been released on regular bail by this Court vide order dated 07.02.2019 passed in CRM-M No.5152 of 2019. The petitioner has been implicated in the case being friend of main accused and his bail application has been dismissed by the trial Court on the ground that recovery is to be effected whereas recovery has already been effected from main accused. The petitioner is ready to join investigation. Notice of motion for 26.04.2019.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer. He shall also join investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioner shall make himself available for interrogation before investigating officer as and when required;

(ii)that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such

facts to the court or to any police officer;

(iii)that the petitioner shall not leave India without the prior permission of the Court.”

Learned State counsel who is assisted by ASI Manjit Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Manjit Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 14.03.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

08.07.2019

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No