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

CRM-M-13810 of 2019 (O&M)

Date of decision: July 22, 2019

Jaspal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Deepak Bhardwaj, Advocate for the petitioner.

Mr. Saurav Khurana, DAG Punjab.

Mr. R.S. Bains, Advocate for the complainant.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.12 dated 08.02.2019, under Sections 419, 466, 468, 471 of Indian Penal Code, 1860, registered at Police Station Chamkaur Sahib, District Rupnagar.

As per prosecution case, after passing a wrong resolution, petitioner carved out a street through the land of the complainant, which was not in accordance with Panchayat Rules.

On 03.05.2019, this Court has passed the following order:-

“Status report by way of affidavit dated 02.05.2019 of Sukhjit Singh Virk, PPS, Deputy Superintendent of Police, Sri Chamkaur Sahib, District Rupnagar, filed by the learned State counsel, today in Court, is taken on record and the copy thereof, has been supplied to the counsel opposite.

Perusal of the above said status report reveals that the

resolutions were passed on 09.12.1995, 11.12.1995, 13.01.1996, 10.03.1996, 18.03.1996 and 15.04.1996 by the Gram Panchayat Gandhram Kalan.

Adjourned to 22.07.2019 for further consideration.

In the meanwhile, the petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from police official present in Court to assist him, has submitted that petitioner has joined investigation in terms of order dated 03.05.2019 and his custodial interrogation is not required.

In view of the above, order dated 03.05.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

July 22, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No