

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

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CRM-M-14506-2019 (O & M)
Date of Decision:09.05.2019

Jaspreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. HPS Ghuman, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.278 dated 03.11.2018 under Sections 341/323/506/149/379-B/427 IPC, registered at Police Station Civil Lines, Patiala, District Patiala. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.03.2019 whereby 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 contends that
previously mother of the petitioner Jaspreet Singh got*

her statement recorded on 02.11.2018 against Ram Asra and others, whereupon FIR No.105 dated 02.11.2018 for the offences under Sections 323, 341, 506, 148 and 149 IPC was registered (Annexure P-1). It is contended that as a counter blast, complainant Ram Asra has got recorded the present FIR against the petitioner, wherein the offences are bailable except the offence punishable under Section 379-B IPC. According to him, the alleged occurrence took place in the hospital and this commission of the alleged offence is debatable.

Notice of motion for 09.05.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer. He further contends that during the pendency of this petition, the parties have entered into a compromise and affidavit in that regard submitted before the Police.

Learned State counsel who is assisted by ASI Shivdev does not dispute this fact that the petitioner has joined the investigation. He 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 29.03.2019 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.

09.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No