

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

**CRM-M No. 24143 of 2019
Date of Decision:-25.07.2019**

Jaswinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Ramdeep Partap Singh, 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.0001 dated 4.1.2019, under Sections 420, 465, 471 and 472 IPC, registered at Police Station City Rupnagar, District Rupnagar. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 03.6.2019 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 State counsel does not dispute that it was Bahadar Singh, who had facilitated the alleged

fraudulent loan sanctioned and disbursed by the petitioner.

At this stage, learned counsel for the petitioner submits that in fact Bahadur Singh had brought somebody else as Darshan Singh and therefore, it was Bahadur Singh, who had misled the petitioner. According to him, considering the nature of offence, custodial interrogation of the petitioner may not be necessary.

Adjourned to 25.07.2019.

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.

Learned State counsel who is assisted by ASI Mahenderpal does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Mahenderpal 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 03.6.2019 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.

July 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No