

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

Crl. Misc. M- 12122-2020 (O&M)

Date of Decision: July 22, 2020
(Heard through VC)

Jagdeep Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G. S. Sidhu, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No. 15 dated 16.01.2020, under Sections 420 IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation.

Learned State counsel, on instructions from ASI Rajwinder Singh, opposes the grant of bail to the petitioner on the ground that though the petitioner has joined the investigation yet some recoveries are yet to be made.

I have heard learned counsel for the parties.

There are plethora of judgments to the effect that bail should not be denied only on account of the fact that recoveries have not been made. Merely because part recoveries are yet to be made, this court is not inclined to reject the petition. Denial of bail in normal circumstances cannot be used as a tool to effect recoveries.

In view of the facts that the petitioner has joined the investigation, at this stage, without commenting on the merits of the case, the petition is allowed and order dated 11.05.2020 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

July 22, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No