

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.20887 of 2020
Date of Decision: November 19, 2020

Jagtar Singh @ Jagtar

...Petitioners

Versus

State of Punjab & another

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.K.S.Phoolka, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, 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 complaint case No.CIS No.COMA/4319/2017 in CRMA-542/2017 in File No.481 dated 18.03.2017 in CNR No.PBBT03-004322-2017 dated 16.03.2017, under Section 138 read with Section 142 Negotiable Instruments Act, 1881 and Section 420 IPC. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.07.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

It is submitted that the petitioner had earlier settled the matter with the complainant and it was presumed by him that the proceedings would be withdrawn. The petitioner, it is submitted, is ready and willing to deposit the sum of

Rs.80,000/- i.e. the principal amount in question, within fifteen (15) days, in order to show his bonafides, without prejudice to his rights.

Notice of motion.

Mr. S.P.S. Tinna, Addl. AG, Punjab, accepts notice on behalf of respondent No.1. Notice be issued to respondent No. 2 for 09.09.2020. Concerned SHO, to ensure his service.

In the meanwhile, the petitioner shall deposit a sum of Rs.80,000/- before the learned trial Court/Duty Magistrate within fifteen (15) days from today and he shall also appear before the said Court on or before 17.08.2020. On his appearance, the petitioner be admitted to interim bail, by the said court, till the next date of hearing in this petition. ”

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

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 29.07.2020 is made absolute.

November 19, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No