

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

Criminal Misc.-M No.27432 of 2020

Date of Decision: December 07, 2020

Jaggu @ Shafi Mohammad

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Liaqat Ali, Advocate,
for the petitioner.

Mr. Harmandeep Singh Sullar, 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.200 dated 16.07.2020, under Sections 323, 341, 365, 34, Sections 182, 192, 193 and 120-B IPC (added later on), Sections 323 and 341 IPC (deleted later on), registered at Police Station, Salem Tabri, District Ludhiana. 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 11.09.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the FIR was lodged after a delay of three days, wherein the petitioner was not named. According to him, the petitioner was indicted as an accused on the basis of the supplementary statement made by the complainant.

Notice of motion for 07.12.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of 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 Balkar Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, 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 11.09.2020 is made absolute.

December 07, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No