

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.27875-2020 (O&M)
Date of Decision: December 16, 2020

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S.Gill, Advocate,
for the petitioner.

Mr. Mehardeep Singh Dullat, Addl.A.G.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.110 dated 24.08.2020, under Sections 323, 325, 341, 506, 148 and Section 326 IPC (added later on), registered at Police Station, Qadain, District Gurdaspur. 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 22.09.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“CRM-23535-2020

Application is allowed as prayed for.

Annexures P-6 and P-7 are taken on record.

Main case

Learned counsel for the petitioner contends that the alleged occurrence took place on 15.08.2020 and the FIR was registered after a delay of about nine days. It is further pointed out that the offence punishable under Section 326 IPC was added subsequently. He further states that the petitioner has already associated himself with the investigation pursuant to the orders passed by the learned Additional Sessions Judge, Gurdaspur. The cross version was also recorded on the statement of the co-accused-Dilbag Singh.

Notice of motion for 16.12.2020.

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.

At this stage, Ms. Sukhveer Kaur, Advocate for Mr. R.K.Arya, Advocate appears on behalf of the complainant.”

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 Kulwinder Singh, 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 22.09.2020 is made absolute.

December 16, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No