

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215-2

CRM-M-35947 of 2019

Date of Decision: 15.01.2020

Jagdish Singh and another

.....Petitioners

versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr.Gautam Dutt, Advocate for the petitioners.

Mr.P.S.Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.100 dated 16.07.2019 under Sections 420, 465, 468, 471 and 120-B IPC registered at Police Station Sarhali District Tarn Taran. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 10.09.2019 whereby the interim protection was extended to the petitioners. The said order reads as under:-

“Learned senior counsel appearing for the petitioners relies upon the interim concession extended to co-accused Rajwinder Singh. It is contended that the accusation against the petitioners for preparing the false medical certificate is without any foundation.

At this stage, Mr. Hittan Nehra, Addl. A.G. Punjab, on instructions from ASI Narinder produced the said certificate before the Court allegedly issued on letter head of LSG Multi Speciality Hospital. It is purportedly signed by Dr. Kanwar Goel. Learned State counsel submits that the signatures were put by petitioner No.2-Sukhdev Singh. It is not disputed by learned State counsel that the said doctor is yet to be associated with the investigation.

Adjourned to 11.12.2019.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C .”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners 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 Narinder does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Narinder further states that the petitioners are not required for custodial interrogation for the time being. However, he also states that accused, namely, Raman Kumar for whose release, the alleged forged medical certificate was prepared, has now been taken into custody.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 10.09.2019 is made absolute.

15.01.2020

Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No