

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

201

**CRM-M No.39043 of 2019
Date of Decision:29.1.2020**

GHUDDU SINGH @ JAGTAR SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.B.D.Sharma, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG. Punjab.

RAJ MOHAN SINGH, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.178 dated 27.7.2019 under Sections 380/ 457 IPC registered at Police Station Islamabad District Police Commissionerate, Amritsar.

On 13.9.2019, while issuing notice of motion, following order was passed:-

“It is contended by learned counsel for the petitioner that the petitioner is not involved in the alleged crime at all. This case relates to possession of shop which the complainant claims under his tenancy. However, the petitioner is not connected with the said shop or with the alleged owner of the

said shop in any manner; what-so-ever. In fact, the complainant had vacated and abandoned the shop by taking away his articles. Thereafter, the owner of the said shop had approached certain persons of the area to get this fact recorded and attested in a deed in this regard. The only role of the petitioner is that the petitioner is a signatory to the said deed, which the owner might have used somewhere. Subsequently, the petitioner has been involved in the case only because the police had recorded the statement of the father of the petitioner qua the aspect of vacation of the shop by the complainant. Still further it is submitted that the fact that the complainant himself had taken away the goods from the shop, is also substantiated by the fact that even the concerned transporter of the goods had sworn an affidavit that he had taken away the goods from the shop on instructions from the complainant. Other than above, the petitioner has no concern with the shop or qua the fact of possession of the shop in question.

Notice of motion for 29.01.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Bhupinder Singh, states that the petitioner has joined the investigation on 28.1.2020 and he is not required in any further investigation of the case.

In view of above interim order dated 13.9.2019 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of accordingly.

January 29, 2020
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No