

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215-4

CRM-M-42437 of 2019

Date of Decision: 15.01.2020

Jyotiraditya Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr.Charanpreet Singh, Advocate for the petitioner.

Mr.P.S.Walia, 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 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 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 03.10.2019 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 Senior counsel for the petitioner places reliance upon order dated 10.09.2019 passed in CRM-M-35947-2019 (Anneuxre P-2) to contend that even as per prosecution the alleged certificate was forged under the purported signature of Dr. Kanwar Goel. According to him, the petitioner is not involved in the alleged crime.

Notice of motion for 11.12.2019.

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 Narinder does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Narinder further states that the petitioner is 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 03.10.2019 is made absolute.

15.01.2020
Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No