

204(2)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18944-2021

Date of decision-22.09.2021

JASBIR SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S. Sekhon, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, 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.27 dated 12.03.2021, under Sections 307, 336, 452, 148, 149 Indian Penal Code, 1860 & Sections 25 and 27 Arms Act, 1959, registered at Police Station Ghall Khurd District Ferozepur. 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 16.07.2021, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

*“Case taken up through video conferencing.***CRM-20814-2021***Allowed as prayed for, subject to all just exceptions.***Main Case***Learned counsel for the petitioner states that similarly placed co-accused Nishan Singh has been granted interim bail and petitioner is ready and*

willing to join the investigation.

On being asked pointedly, learned State counsel on instruction from ASI Gursahib Singh has stated that petitioner does not have any past criminal record. It is a case of no injury. The petitioner is not named in the FIR. The allegations against him are of firing in the air.

Though, learned State counsel and learned counsel representing the complainant have opposed the request for grant of interim bail but I find that petitioner should be given an opportunity to join the investigation. Accordingly, he is directed to join the investigation by contacting the Investigating Officer within 07 days from today and render all sort of cooperation. The petitioner is to surrender his passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. If, in the meanwhile, he is arrested, he be released on bail to the satisfaction of the Investigating Officer/Arresting Officer.

List on 22.09.2021. ”

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 Kulwant Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 16.07.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

22.09.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No