

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

250

CRM-M-20347-2021

DATE OF DECISION: 12.08.2021

JAGTAR SINGH ALIAS TARI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jaspreet Singh Brar, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 70 dated 27.04.2021, under Section 336, 188, 34 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station Sadar Faridkot, District Faridkot (Punjab).

A coordinate Bench of this Court, on 21.05.2021, had passed the following order:-

“Petitioner-Jagtar Singh alias Tari, stated to be aged 28 years, has filed the present petition inter alia with a prayer for anticipatory bail to the petitioner in FIR No.70 dated 27.04.2021, registered under Sections 336, 188 & 34 of Indian Penal Code and Sections 25 & 27 of Arms Act, at Police Station Sadar Faridkot, District Faridkot (Punjab).

Learned counsel for the petitioner, by making reference to the pleadings in the petition, firstly submits that a perusal of the FIR would show that it is based on an alleged information given by the informer on 27.04.2021. Counsel further submits that on 27.04.2021, when the FIR was lodged, the incident that allegedly occurred, was reported of the intervening night of 25/26.04.2021.

He secondly submits that in the alleged incident, no loss has been caused to anyone. Thirdly, it is submitted that on 30.04.2021, the other two persons named, have also been granted regular bail. He further submits that the co-accused Narinder Kumar alias Doctor, has also been granted anticipatory bail by this Court vide order dated 17.05.2021 (Annexure P-3), passed in CRM-M-19591-2021.

Notice of motion.

On asking of the Court, Mr. Manreet Singh Nagra, Assistant AG, Punjab, accepts notice on behalf of the respondent-State. He submits that there is no other case against the petitioner. Learned State counsel is not disputing the factual position, however, opposes the bail on merits.

At this stage, counsel for the petitioner submits that the petitioner is ready to join the investigation. He submits that because of COVID-19 situation also, retention of the petitioner behind bars would be dangerous to his life.

Without commenting upon merits of the case and in view of the peculiar facts and circumstances of the present case and also keeping in view of the present COVID situation, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer to join investigation.

List on 11.08.2021.

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

Learned State counsel, upon instructions from ASI Chamkaur Singh, states that the petitioner has joined investigation.

In view of the above, especially when the petitioner having joined investigation, the order dated 21.05.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

12.08.2021

SwarnjitS

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