

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(202)

CRM-M-23427-2021

Date of decision: - 30.09.2021

Jatinder Singh @ Lakhan

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Maninder Singh Bajwa, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner is seeking anticipatory bail in FIR No.226 dated 19.10.2018 under Sections 307, 148, 149 and 120-B IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Jandiala, District Amritsar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court on 18.06.2021. Order dated 18.06.2021 is as under:

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.226 dated 19.10.2018 under Sections 307, 148, 149 and 120-B IPC and Sections 25/54/59 of the Arms Act, registered at Police Station

Jandiala, District Amritsar.

Learned counsel for the petitioner argues that the only allegation alleged against the petitioner is of hatching the conspiracy to execute the incident, which took place on 18.10.2018. Learned counsel for the petitioner submits that co-accused, who were attributed injuries in the said incident, have already been granted the benefit of bail by a Co-ordinate Bench of this Court. Learned counsel for the petitioner further submits that the allegations of conspiracy are yet to be proved in the Court of Law.

Notice of motion for 30.09.2021.

Mr. Sandeep Singh Deol, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel conceded that only allegation against the petitioner is to mastermind the conspiracy, which led to the occurrence of incident dated 18.10.2018, in which, the victim got injured.

Learned State counsel further conceded that no injury was attributed to the petitioner and nothing is to be recovered from him and also the factum that co-accused have already been granted the regular bail.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the only allegation against the petitioner is that he has masterminded the conspiracy, which led to the incident dated 18.10.2018, which is to yet to be proved in the Court of Law and also the fact that co-accused have already been granted the bail by a Co-ordinate Bench of this Court and nothing is to be recovered from the petitioner, the petitioner has made out a case for the grant of anticipatory bail, especially, when learned counsel for the petitioner undertakes that the petitioner will join and cooperate in the investigation.

The petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

- (i) That he shall make himself available for interrogation by the police officer as and when required.
- (ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.
- (iii) That he shall not leave India without prior permission of the Court.
- (iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C..”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Tarsem Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and is not required for further interrogation, at this stage.

In view of the above, the order dated 18.06.2021 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.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 30, 2021
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No