

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

CRM-M-24260 of 2021 (O&M)

Date of Decision: 20.09.2021

ASI Jagdeep Singh and another

Petitioners

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pardhuman Garg, Advocate for the petitioners.
Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 101 dated 24.5.2021, under Section 384 IPC and Sections 7 and 13 of the Prevention of Corruption Act, 1988, registered at Police Station Sirhind, District Fatehgarh Sahib.

The State has filed reply. The same is taken on record.

Learned counsel for the petitioner relies upon the fact that vide order dated 28.5.2021, Additional Sessions Judge had granted interim bail to the petitioner and the petitioner had joined the investigation.

Learned counsel for the State submits that the petitioner had joined the investigation but was not co-operating as recovery was to be made.

The allegations raised on behalf of the State are neither apparent from the impugned order nor from the reply filed. On a specific query as to whether any reply was filed or statement to this effect was recorded before the Sessions Court, this court is informed that only statement was recorded that the petitioner had joined the investigation.

In view of the above factual dispute, the impugned order is set aside and the matter is remitted back to the Sessions Court to decide afresh

and to record a finding with regard to the conduct of the petitioner on joining.

Considering the seriousness of the allegations, it would be desirable that the petition is decided by the Sessions Court expeditiously.

The petition is disposed of.

CRM-24121 and 25538 of 2021

Since the main petition has been disposed of, the prayer made in the applications have been rendered infructuous.

Disposed of as infructuous.

[AVNEESH JHINGAN]
JUDGE

20th September, 2021

mk	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No