

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

**CRM-M No. 31433 of 2021 (O&M)
Date of Decision: 12.11.2021**

Jagjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Tarun Sharma, Advocate for the petitioner.

Mr. Bhupender Beniwal, Assistant Advocate General, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. An FIR No. 100 of 04.09.2020 (Annexure P-1), constituting therein offences, under Sections 307, 336, 325, 148 & 149 of IPC and Sections 25 & 27 of Arms Act, is registered against the present bail applicant - petitioner, at Police Station Kot Isse Khan, District Moga.

2. Learned State Counsel, on instructions from ASI Major Singh, Investigating Officer, submits that the bail applicant – petitioner has participated in the relevant investigation, and, has also ensured the recovery at his instance, to the IO concerned, of the incriminatory weapon of offence, Moreover, he, on instructions, submits, that as of today, the victim-injured has fully recovered from the injuries inflicted upon his person, by the present bail applicant – petitioner, and, that at this stage, there is no endangerment to the life of victim.

3. However, the learned Assistant Advocate General, Punjab, continues to submit that since the bail applicant, is a habitual offender, thereupon the facility of anticipatory bail be not granted to him.

4. However, the afore submission can become negated, upon, this Court imposing stringent conditions upon the bail applicant.

5. Consequently, after imposing stringent conditions upon the bail applicant – Jagjit Singh, inasmuch as he is making an undertaking before the Arresting Officer that he shall not re-indulge in criminal activity, whereupon, on breach thereof, the benefit of anticipatory bail, as granted to him shall become *ipso facto* annulled, leaving liberty to the Arresting Officer, to thereafter, produce the bail applicant before the learned Magistrate concerned, for appropriate directions, *vis-a-vis*, an order of judicial custody being made, upon him.

6. Consequently, this Court is constrained to make absolute the order made by this Court on 06.08.2021. However, the making absolute of the afore order shall be subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure. The Investigating Officer concerned is directed to forthwith ensure the furnishing before him of personal and surety bonds by the bail-applicant, in a sum of Rs. 50,000/- each.

7. Moreover, in case any further cooperation of the bail-applicant is required by the Investigating Officer in the latter conducting further investigations, thereupon the Investigating Officer shall through a written Hukamnama being issued upon the bail-applicant, shall solicit his presence before him.

8. Disposed of.

November 12, 2021

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**(SURESHWAR THAKUR)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>