

**203-a IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.30929 of 2020

Date of decision : August 27, 2021

Jasvir Singh and another Petitioners

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Ms. Shivya Sehgal, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. M.S. Sidhu, Advocate for the complainant.

RAJ MOHAN SINGH J. (ORAL)

The case has been taken up for hearing through video conferencing.

Petitioners seek grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.77 dated 25.08.2020, registered under sections 341, 323, 506, 188, 148 read with section 149 IPC (Sections 325 and 452 IPC added later on), Police Station Jodhan, District Ludhiana.

On 05.10.2020, following order was passed:

“The case has been taken up for hearing through video conferencing

CRM-24621-2020

For the reasons mentioned in the application,

the same is allowed and the petitioners are exempted from filing certified copies of

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Annexures P-1 to P-7 and photostat copies of the same are taken on record.

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The petitioners have filed present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.77 dated 25.08.2020 registered under Sections 341, 323, 506, 188, 148 read with Section 149 of the Indian Penal Code, 1860 (for short 'the IPC') in Police Station Jodhan, District Ludhiana to which Sections 325 and 452 were added lateron. Learned Counsel for the petitioners has submitted that after filing of the petition, petitioner No.2-Sarabjit Singh has been arrested in the case and the petition has become infructuous qua petitioner No.2.

Learned Counsel for the petitioners has submitted that petitioner No.1-Jasvir Singh has been falsely implicated in the case. As per the allegations made in the FIR, petitioner No.1-Jasvir Singh is alleged to have caused injuries with Tangli on the head and right leg of complainant- Sandeep Kaur which were declared to be simple. The grievous injury caused to complainant-Sandeep Kaur is attributed to co-accused Sarabjit Singh who has already been arrested in the case. Similarly placed co-accused have already been granted interim anticipatory bail by this

Court vide order dated 01.10.2020 passed in CRM-M-30653-2020. The petitioner No.1-

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Jasvir Singh is ready to join the investigation and his custodial interrogation is not required in the case.

Notice of motion.

Pursuant to supply of advance copy of the petition, Mr. Randhir Thind, DAG, Punjab has appeared and accepted notice on behalf of the respondent-State. Learned State Counsel seeks time to file reply. Adjourned to 04.12.2020.

In the meanwhile, petitioner No.1-Jasvir Singh is directed to join the investigation as and when called upon to do so. In the event of his arrest, he shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner No.1 shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.

05.10.2020

(Arun Kumar Tyagi)

Kothiyal

Judge”

Learned counsel for the petitioners submits that in compliance of the order dated 05.10.2020, petitioners have joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel, on instructions from the

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Investigating Officer, admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 05.10.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

August 27, 2021

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Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No