

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.38770 of 2020
Date of Decision: January 21, 2021

Jaswinder Singh Patwari

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amaninder Singh Sekhon, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.404 dated 10.11.2020, under Sections 420, 465, 467, 468, 471, 506 and 120-B IPC, 1860, registered at Police Station, City Faridkot, District Faridkot. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 24.11.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The matter is being taken up through Video Conferencing/WhatsApp due to pandemic of COVID-19.

Learned counsel for the petitioner, inter alia, contends that the petitioner was earlier working as a Patwari, Canal Department, Village Hari Nau and he had additional charge of Maur, Sarainaga, Bhuttiwala Khara. The present case pertains to 10 years back and the petitioner has left the post on 10.7.2018. The petitioner has got no record with himself as now he is posted as ARC, Ziledari Cheedan since 11.7.2018. The offences in question are triable by Judicial Magistrate 1st Class. He further submits that the petitioner is ready and willing to join investigation.

Notice of motion.

On the asking of this Court, Mr.Amit Mehta, Sr.DAG, Punjab accepts notice on behalf of the State of Punjab. Learned counsel for the State to seek instructions and file report by the next date of hearing.

Meanwhile, the petitioner is directed to join investigation within a week and as and when called for by the Investigating Officer. The petitioner will fully cooperate with the Investigating Officer. In the event of arrest, the petitioner shall be released on ad interim bail to the satisfaction of the Arresting Officer/Investigating Officer, subject to his compliance of the conditions enshrined under Section 438(2) Cr.P.C.

List on 21.1.2021.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions

from ASI Sikander Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 24.11.2020 is made absolute.

January 21, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No