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

CRM-M-42727-2019

Date of decision-07.09.2021

JASPAL SINGH**...Petitioner****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Ramandeep, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. 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.275 dated 09.10.2018, under Sections 420, 465, 468 & 471 Indian Penal Code, 1860, registered at Police Station Patran, District Patiala. 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 22.10.2019, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the proceedings amongst the parties for appointment of Lamberdar were pending since 2011 and the petitioner had never pleaded his qualification in the application submitted for the said appointment. According to him the FIR has been

registered on 09.10.2018. He has invited the attention of the Court to the index of the relevant case file before the Assistant Collector 1st Grade, wherein the alleged certificate was of 10+2. He submits that in the FIR, the allegation is regarding relying upon the false certificate of 8th class. Learned counsel further contends that during inquiry, petitioner associated himself, however, he has not been arrested in the case.

Notice of motion for 02.3.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

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, who is assisted by ASI Jaswinder Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 22.10.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

07.09.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No