

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-788-2022

Date of Decision: 24.01.2022

Jagdish Singh @ Disa and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Kuldip Singh, Advocate,
for the petitioners.

Mr. Amit Mehta, Sr. DAG, Punjab.

(Through video conferencing)

PANKAJ JAIN, J. (ORAL)

The petitioners have prayed for grant of pre-arrest bail in FIR No.163 dated 25.09.2020, registered under Sections 353, 186, 120-B, 149 and 506 of the Indian Penal Code, at Police Station City Jalalabad, District Fazilka.

On 12.01.2022, the following order was passed:-

“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. 163 dated 25.9.2020, under Sections 353, 186, 120-B, 149 and 506 IPC, registered at Police Station City Jalalabad, District Fazilka.

The FIR was registered at the instance of Sub Inspector-Veeran Rani. As per the contents of the FIR, she was dealing with a matrimonial complaint in which Amandeep Kaur, Mahindro Bai @ Mohinder Kaur and Simran Rani @ Simranjeet Kaur were from the girl's

side. On 24.9.2020, after enquiry, the parties left the office of the complainant but after twenty minutes, Amandeep Kaur, Jagdish @ Disa (petitioner) and Chhinder Singh (petitioner) along with two-three unknown persons came to the office. Chiman Singh raised a lalkara that the complainant has helped the other party, the Jagdish @ Disa threw the Dak file, Gurpreet Singh (petitioner) pushed the complainant inspite of being informed that she is pregnant and the petitioners scuffled with the police personnel.

Learned counsel for the petitioners submits that it is a case of false implication. No MLR is available of the complainant. He further submits that the Police Stations have CCTV cameras and it would be apparent from the footage that no such incident took place. The contention is that there is one day delay in lodging the FIR. The petitioners are ready to join investigation and to co-operate. Co-accused have been granted interim anticipatory bail.

Learned counsel for the State appearing on advance notice on instructions fairly submits that there is no MLR available, total eight accused have been nominated in the FIR, Chiman Singh was arrested and is now released on bail. On a specific query from the court, learned counsel for the State submits that no recovery is to be made from the petitioners.

Considering the facts and circumstances in totality, nature of allegations, co-accused were granted regular bail and anticipatory bail and no recovery is to be made from the petitioners, the petitioners are granted interim bail subject to their joining investigation within seven days. In the event of arrest, they shall be released on bail subject to their furnishing adequate bail bonds to the satisfaction of the Investigating Officer. They are directed to join the investigation as and when called for. They shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. List on 21.1.2022.”

Today, learned State counsel on instructions from ASI Gurmail Singh, has stated that pursuant to the order dated 12.01.2022, the petitioners have joined investigation and are no longer required for custodial interrogation.

In view of above, the interim order dated 12.01.2022 passed by this court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

The petition stands disposed off.

(PANKAJ JAIN)
JUDGE

24.01.2022
adhikari

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