

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2556-2022 (O&M)
Date of Decision:-30.11.2022

Jasdev Singh @ Jassi ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Charanpal Singh Bagri, Advocate for the petitioner.
Mr. Aman Dhir, DAG, Punjab,
assisted by ASI Sanjeev Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.0189 dated 29.11.2021 at Police Station Koom Kalan, District Ludhiana, under Sections 3/39/51 of the Wild Life (Protection) Act and Sections 25/27 of the Arms Act.
2. At the time of issuance of notice of motion, the following order was passed on 02.02.2022:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.0189 dated 29.11.2021 at Police Station Koom Kalan, District Ludhiana, under Sections 3/39/51 of the Wild Life (Protection) Act and Sections 25/27 of the Arms Act.

The FIR in question was lodged at the instance of Shaminder Singh, Forest Range Officer, wherein it is alleged that pursuant to receipt of a secret information on 28.11.2021, a Wild Life

Protection Team, Range Ludhiana, reached on the spot at Village Kalewali, Tehsil Khoomkala, District Ludhiana, where a dead “Rojh” (*Nilgai*) was recovered, which was taken into possession by the forest officials. Upon enquiries, it was revealed that a hunter, namely, Jassi had fled away from the spot in his white coloured Gypsy and some people had also taken photographs of said Gypsy and handed over the same to the officials of the Forest Department. It is further the case of the prosecution that during investigation, statement of one Bakshish Singh had been recorded to the effect that the petitioner had fired shots at “Rojh” on account of which said Rojh had died.

Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that there is no evidence worth credence to connect him with the alleged recovery of dead ‘Rojh’ and that he has never ever been involved in such like incident earlier, but has wrongly been branded as ‘hunter’ by the officials of the Forest Department.

Notice of motion for 09.08.2022.

At this stage, Mr. Ajay Pal Singh Gill, DAG, Punjab, upon whom an advance copy has been served, accepts notice on behalf of the respondent/State.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Sanjeev Kumar, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. It has also been informed that the gypsy vehicle belonging to the petitioner has also been

got recovered. It has further been informed that petitioner is not involved in any other case.

4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 02.02.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

30.11.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No