

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

CRM-M-8920-2022
Date of decision: 03.03.2022

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 13 dated 02.02.2022, registered under Sections 419, 420, 467, 468, 471, 34, 120-B of the IPC at Police Station City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner was arrested in FIR No. 163 dated 18.08.2021 for an alleged recovery of 08 grams of heroin and later on, the petitioner was convicted by the trial Court, vide judgment dated 01.02.2022 and was sentenced to undergo the period already undergone by him.

Learned counsel further submits that when the petitioner had applied for bail in the aforesaid FIR, he was granted the concession of interim bail, subject to the condition that he would furnish requisite bail/surety bonds and in that process, one Kashmir Singh had furnished surety bonds by presenting a *Jamabandi*, which on verification was found to

be non-existent.

Learned counsel further submits that the surety bonds were furnished in the month of August, 2021 and thereafter, the petitioner has faced the trial, which was concluded and only thereafter, the present FIR has been registered against the petitioner.

Learned counsel further submits that the petitioner was in judicial custody when the bail/surety bonds were furnished and he had no knowledge that aforesaid Kashmir Singh had produced fake documents.

Learned State counsel could not dispute the factual position, however, opposed the bail.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, considering the aforesaid facts and circumstances of the case, the present petition is allowed. The petitioner is granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

03.03.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No