

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

CRM-M-18738-2021 (O&M)

Date of decision: 12.05.2022

Jagtar Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Amarjot Kaur, Advocate for
Mr. B. S. Bhalla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Naresh Kaushik, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in n FIR No. 33 dated 28.02.2021, under Sections 295-A, 451, 506 and 323 of the IPC and Sections 25 and 27 of the Arms Act, 1959 (Sections 452 IPC and Section 3 of the SC/ST Act added later on) registered at Police Station Gharinda, District Amritsar.

The operative part of the order dated 18.05.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner contends that there is a delay of six days in registering the FIR. It is a case of no injury. He also contends that the allegations against the petitioner would not constitute a prima facie case for the commission of offence punishable under Section 295-A IPC.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior

DAG, Punjab, accepts notice on behalf of the respondent-State.

Mr. T.P.S. Bhatti, Advocate, has put in appearance on behalf of the complainant. He contends that in view of serious allegations against the petitioner, he is not entitled to the concession of anticipatory bail.

List on 03.08.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 18.05.2021, has already joined the investigation. It is further submitted that on addition of Sections 452 IPC and Section 3 of SC/ST Act, 1989, the interim protection was extended on 03.08.2021 and the petitioner has thereafter joined investigation and is appearing before the trial Court.

Learned counsel for the State, on instructions from the Investigating Officer, assisted by learned counsel for the complainant, has not disputed the factual position, however, it is submitted that petitioner is involved in one more FIR.

Be whatsoever, considering the aforesaid facts, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 18.05.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

12.05.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No