

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(203)

CRM-M-24269-2022

Date of decision:- 01.12.2022

Sadhu Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Bhriugu Dutt Sharma, Advocate,
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.120 dated 15.05.2022, under Sections 420, 465, 468, 469 and 471 IPC, at Police Station Shahkot, District Jalandhar Rural, District Jalandhar.

On 30.05.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Prayer is for grant of anticipatory bail in case FIR No.120 dated 15.05.2022 under Sections 420,465,468,469,471 IPC registered at P.S Shahkot, District Jalandhar Rural, District Jalandhar.

FIR was lodged on the written complaint submitted by Sharanjit Kaur-wife of the petitioner, who alleged that the petitioner had got issued two passports i.e one in his own name with another being in the name of Sarabjit Singh son of Nazar Singh. Date of birth in both the passports were also different.

Learned counsel for the petitioner contends that the allegations

are totally false. In fact, the petitioner possesses only one passport. He is ready and willing to cooperate with the investigating agency.

Notice of motion for 23.08.2022.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.

(Harinder Singh Sidhu)
JUDGE

May 30, 2022"

Thereafter, on 23.08.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

"Learned State counsel, on the instructions from SI Som Nath from Police Station Shahkot, District Jalandhar Rural, apprises the Court that though the petitioner had joined in the investigation in compliance of the order dated 30.05.2022 passed by the Co-ordinate Bench but however, he did not co-operate with the Investigating Agency and the second passport is yet to be recovered from him.

Faced with this situation, learned proxy counsel appearing for the petitioner seeks one more opportunity for the petitioner to join in the investigation and to do the needful.

Accordingly, the petitioner is directed to join in the investigation within ten (10) days positively.

Adjourned to 01.12.2022.

Interim order to continue till the next date of hearing.

(MEENAKSHI I. MEHTA)
JUDGE

23.08.2022"

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Surjeet Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances more so, the facts which have been noticed in abovesaid orders dated 30.05.2022 and 23.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 30.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present petition.

December 01, 2022
naresh.k/Sunena

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No