

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37000-2021
Date of Decision:- 21.01.2022

JAGROOP SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: *HON'BLE MR. JUSTICE MANOJ BAJAJ*

Present: Mr.G.S.Sandhu, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J.(Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.32 dated 19.05.2021 registered under Section 380 IPC, Police Station Sadar Morinda, District Rupnagar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 8.09.2021 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged offence of theft was committed on 19.05.2021 and the photograph of the accused was captured in the CCTV installed at the house of the complainant and according to the learned counsel, the person seen in the photograph (Annexure P-1) is not the petitioner. He submits that prior to the alleged occurrence, the petitioner worked as labourer to paint the house of complainant and was known to her, but the name of the petitioner is not mentioned in FIR. He states that the petitioner is willing to join the investigation.

Notice of motion.

At this stage, Mr. Bhupender Beniwal, AAG, Punjab appears on behalf of the respondent-State, who is instructed by ASI Kashmir Singh. According to him, the petitioner is the accused, who committed the crime.

Learned counsel are in conflict regarding the identity of the petitioner in the photograph (Annexure P-1), therefore, they may produce relevant material to substantiate their respective stand.

Adjourned to 20.01.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Jaswinder Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 8.09.2021 is made absolute.

21.01.2022
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(MANOJ BAJAJ)
JUDGE

Whether speaking /reasoned Yes

Whether Reportable No