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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40941-2021 (O&M)
Date of Decision: 25.01.2022

Jatinder Kumar @ Jatinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Daman Dhir, 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 17.06.2020, registered under Sections 419, 420, 465, 468, 471 and 120-B IPC and Sections 81 and 82 Registration Act, 1908 at Police Station Block Majri, SAS Nagar (Mohali). The petitioner apprehends 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 30.09.2021, 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 dispute between the parties is purely of civil nature and the complainant has already filed a suit to challenge the sale deed bearing No.1496 dated 18.09.2015 in favour of co-accused-Pardeep Kumar and is claiming adverse possession of the property in question. He submits that the petitioner is not beneficiary of the said transaction and is only a witness to the sale deed. According to him, the said co-accused has already been granted the concession of pre arrest bail vide order dated 18.08.2021

(Annexure P-10).

Notice of motion for 24.01.2022.

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 Kesar 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 30.09.2021 is made absolute.

25.01.2022

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No