

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-54045-2021

Date of decision : 02.02.2022

Jaspal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Kamal Narula, Advocate
for the petitioner.

Mr.Karanbir Singh, AAG, Punjab.

Mr.Harpreet Singh Jakhal, Advocate
for the complainant.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.136 dated 25.08.2021 registered under Sections 420, 465, 467, 468, 471, 120-B, 506 IPC at Police Station Vairoke, District Fazilka.

On 23.12.2021, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the petitioner has passed only 8th standard whereas, son of the complainant is a B.Com degree holder and the question of complainant and his son approaching the petitioner, who is a poor labourer and having paid him money to get a job in the Police

Department when the petitioner does not have any influence, is a false story which has been concocted by the complainant and the FIR has been registered as father of the petitioner was stated to be doing a job with the father of the complainant and now the petitioner has joined the opposite party i.e. Akali Dal and with respect to the payment of Rs.10,00,000/-, it has been stated that neither there is any written document with reference to the same nor any money had been paid to any bank account and the FIR has been registered after a delay of two years and that the petitioner is not involved in any other case. It is further argued that in case the version of the complainant is to be believed then the complainant in any case is liable for having paid money for illegally securing a job.

Notice of motion.

On asking of the Court, Mr. Sukhbeer Singh, AAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 02.02.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

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

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

Keeping in view the above said facts and circumstances

moreso, the facts which have been noticed in the order dated 23.12.2021 and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition for anticipatory bail is allowed and the interim order dated 23.12.2021 is made absolute.

Nothing stated above shall be construed as an 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 bail petition.

(VIKAS BAHL)
JUDGE

February 02, 2022
Davinder Kumar

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