

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9109-2023 (O&M)
Date of Decision : 12.09.2023

Jaswant SinghPetitioner

VERSUS

State of PunjabRespondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Deepinder Brar, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

Mr. K.K. Chahal, Advocate for the complainant.

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ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.22 dated 30.01.2023 registered under Sections 354, 420 of the Indian Penal Code, 1860 and Section 8 of the Prevention of Corruption Act, 1988 at Police Station Dayalpura, District Bathinda.

2. On 28.02.2023 the following order was passed :

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.22 dated 30.01.2023, under Sections 354, 420 IPC and Section 8

of Prevention of Corruption Act, 1988 at Police Station Dayalpur, District Bathinda.

Learned counsel for the petitioner submits that the only allegation in the petition is that the petitioner had told the main accused Jasveer Singh to take money from the complainant. He further submits that the amount has been recovered and the main accused has also been granted bail by the Court below.

Notice of motion.

Mr. Arun Gupta, AAG Punjab accepts notice on behalf of the State.

At this stage, Mr. Krishan K.Chahal, Advocate has put in appearance on behalf of the complainant and filed his memorandum of appearance, which is taken on record.

Without commenting on the merits, the petitioner shall join investigation on 03.03.2023 at 10:00 A.M before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 18.05.2023.”

3. Learned counsel would contend that the petitioner has since joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Paramjit Singh, has stated that the petitioner has since joined investigation and that there is no recovery which is to be made from the petitioner as the co-accused Jasbir Singh was arrested and the amount was recovered from the co-accused. Learned counsel further states that the petitioner is fully co-operating and he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 28.02.2023 is made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

September 12, 2023
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO