

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

205

CRM-M-9293-2023

Date of Decision: 03.08.2023

Jatinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM : HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Deepender Singh, Advocate  
for the petitioner.

Mr. Jagdish Manchanda, Addl. A.G, Haryana.

**AMAN CHAUDHARY, J. (Oral)**

1. On 01.03.2023, this Court had passed the following order:-

“The counsel for the petitioner submits that FIR in this case was registered against unknown persons, who looted shop of gold-smith by causing fire arm injury to its owner. The counsel for the petitioner further submits that the petitioner has nothing to do with the said incident of looting which as per prosecution version was committed by Sarabjeet Singh @ Dilpreet, Manish and Rahul and one of them shot at the owner of the concerned shop. The counsel further submits that during investigation of the case, the police arrested one Damandeep @ Vicky alleging that he supplied the cartridges used in the aforesaid incident. That now the police want to arrest the present petitioner alleging that the petitioner supplied the concerned ammunition (cartridges) to Damandeep @ Vicky, who further supplied the same to the person, who looted the shop of the goldsmith. The counsel for the petitioner further submits that the veracity and admissibility of the alleged disclosure made against the petitioner is subject matter of trial. The counsel for the petitioner further submits that in 3 other cases of similar nature wherein also same allegations are made against the petitioner, he has been granted interim protection by the Coordinate Bench of this Court vide Annexures P-14 to P-16. The counsel for the petitioner further submits that the petitioner is ready to join investigation with the police.

The State counsel on instructions from SI Charanjit contends that the petitioner is required by the police as he is the person who supplied cartridges to Damandeep @ Vicky and later on the said cartridges were used in the looting incident wherein the owner of the shop also sustained firearm injury. However, the State counsel has not disputed the fact that in other 3 cases, the petitioner has been granted interim anticipatory bail by this Court. On asking the State counsel further apprised the Court that

at this point of time, there is no other evidence available against the petitioner except the aforesaid disclosure statement, which will be tested during the trial.

Now be listed on 26.5.2023. In the meanwhile, in case of arrest, the petitioner is directed to be released on interim bail by the Investigating Officer/Arresting Officer subject to his own satisfaction. The petitioner should join investigation with the police well in time before the next date of hearing and to abide by the conditions envisaged under Section 438 (2) Cr.P.C.

The report of the Investigating Officer be also called in this context on the next date of hearing.”

2. Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has not only joined investigation but has also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from SI Sumit Kamboj affirms the factum of joining the investigation by the petitioner and cooperating with the investigation agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 01.03.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigation agency as and when required, the State

would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)  
JUDGE

03.08.2023

pry

Whether speaking/reasoned    Yes/No

Whether Reportable                Yes/No