

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.17657 of 2023

Date of decision: 21st August, 2023

Jagtar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.K. Sharma, Advocate for the petitioner.

Mr. Subhash Godara, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.7 dated 7.2.2023 registered under Sections 457, 380 IPC at Police Station Bhadson, District Patiala.

2. On the last date of hearing, i.e. 03.05.2023, learned counsel for the petitioner made the following submissions:

“Counsel for the petitioner submits that present case is relating to theft committed by unknown persons in the premises of school and detail of stolen article is mentioned in the FIR itself. He further submits that the petitioner has been falsely implicated in the present case and the petitioner, who is having no criminal history, is ready to join the investigation.”

On the said date, while noticing the following contentions of learned State counsel, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:

“He further apprised the Court that recovery of some stolen articles is already effected from two other persons who were arrested by the police. However, the State counsel has not disputed the fact that the petitioner is having no criminal history.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 03.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from HC Shaphy Mohammad, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 03.05.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

August 21, 2023
rps

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