

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:123770
CRM-M-30600-2023
Date of Decision: September 20, 2023

Jagdeep Singh @ Jagga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rhythem Bajaj, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 15.06.2023, following order was passed by this Court:-

“Learned counsel appearing on behalf of the petitioner, inter alia, contends that the FIR in question was registered as a result of misunderstanding amongst the parties and that the complainant Rakesh Kumar son of Satpal has already given an affidavit that he is satisfied that the petitioner has no role in the commission of the alleged offence. He further contends that the petitioner is ready and willing to join investigation as and when required and that in view of the affidavit (Annexure P-3) given by the complainant, no recovery is to be effected from the petitioner.

Notice of motion returnable for 20.09.2023.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/ investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

It is informed by learned State counsel that the petitioner has joined the investigation. However, learned State counsel submits that petitioner is not co-operating in the same as no recovery has got effected.

Learned counsel for the petitioner has pointed out para No.4 of the order dated 16.03.2023 passed by learned Addl. Sessions Judge, Fazilka (Annexure P-4), wherein it was observed as under:-

“4. Learned counsel for the applicant has requested for grant of pre arrest bail to the present applicant primarily on the ground that applicant is not named in FIR. He has further relied on the copy of an affidavit stated to have been sworn by complainant Rakesh Kumar wherein, the complainant had supported the innocence of applicant on the ground of his identity being different than that of the identity of persons who committed snatching from his possession.”

Learned counsel for the petitioner has also referred to the copy of affidavit (Annexure P-3) of the complainant regarding the affidavit as referred in para No.4 as above.

In view of the aforesaid, the order dated 15.06.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

September 20, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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