

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
226 CRM-M-32323-2022
Date of Decision:31.01.2023

Jobanjit Singh alias JobanPetitioner
Versus
State of PunjabRespondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Virat Rana, AAG, Punjab.

ANOOP CHITKARA, J.

Counsel for the petitioner submits that in compliance to the order dated 27.07.2022, the petitioner has joined the investigation.

On instructions, counsel for the State opposes the bail and even the continuation of interim bail.

At this stage, petitioner's counsel submits that this Court may not cancel the interim bail and may make it absolute even after imposing the stringent conditions whatsoever this Court desires.

In the entirety of facts and circumstances, interim order dated 27.07.2022, is made absolute, subject to the following conditions:-

(i) Till the completion of the trial, the petitioner shall not contact, call, text, message, remark, stare, stalk, make any gestures or express any unusual or inappropriate, verbal or otherwise objectionable behavior towards the victim and victim's family, either physically, or through phone call or any other social media, through any other mode, nor shall unnecessarily roam around the victim's home.

(ii) Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall not enter the property, workplace, and the residence of the victim till the recording of the statements of all non-official and informal witnesses in the trial. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to Vikram Singh v Central Bureau of Investigation, 2018 All SCR (Cr.) 458; and Aparna Bhatt v. State of Madhya Pradesh, 2021 SCC Online SC 230.

(iii) Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within fifteen days from release from prison and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case, provided otherwise permissible in the concerned rules.

(ANOOP CHITKARA)
JUDGE

31.01.2023
anju rani

Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no