

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.39651 of 2022

Date of decision: 28th February, 2023

Jatinder Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.S. Ghumman, Advocate for the petitioner.

Mr. Sanish Girdhar, Assistant Advocate General, Punjab
for the respondent No.1/State.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.0101 dated 06.08.2022 under Sections 379, 411 IPC registered at Police Station Division No.4, Police Commissionerate Jalandhar.

Vide order dated 02.09.2022, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that the petitioner has been nominated as an accused merely on account of suspicion that the drugs recovered were meant for defense supply only, whereas infact the petitioner had already been supplied drugs of the same batch number, as would be evident from the invoice (Annexure P-3). Learned counsel has further submitted that, even if, all the allegations as levelled in the FIR are

taken to be correct, the same at best would constitute an offence pertaining to possession of stolen property i.e. offence under Section 411 IPC, which is a bailable offence.”

Learned counsel for the petitioner submits that in compliance of the order dated 02.09.2022, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Sucha Singh, 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.

In the circumstances, the petition is allowed and the interim order dated 02.09.2022 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 28, 2023

rps

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