

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.208

CRM-M-56161-2022

Date of decision: 19.04.2023

Jaswant Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Mohan Singh Chauhan, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.208 dated 02.09.2022 registered under Sections 324, 326, 341, 506, 109 and 34 IPC at Police Station Shahkot, District Jalandhar Rural.

On 05.12.2022, this Court had passed the following order:-

“Apprehending his arrest in FIR No. 208 dated 02.09.2022 for offences punishable under Section 324, 341,506,109,34 IPC, 1860 (Section 326 IPC was added later on) registered at Police Station Shahkot, District Jalandhar Rural, the petitioner has preferred this petition under Section 438 Cr.P.C seeking pre-arrest bail.

Learned counsel for the petitioner inter alia contends that prior to addition of Section 326 IPC the petitioner was on pre-arrest bail. The injury attributed to the petitioner even if taken on its face value is on a non-vital part of the body.

Notice of motion.

Mr. Arun Gupta, Assistant Advocate General, Punjab, who is present in Court accepts notice.

To come up on 19.4.2023.

In the meantime, in the event of arrest, the

petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and co-operated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioner's abiding by the conditions provided under Section 438(2) Cr.P.C., the order of this Court dated 05.12.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

April 19, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No