

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

CRM-M-11685-2024 (O&M)
Date of decision: 19.03.2024

JASHANDEEP SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Amarjot Kaur, Advocate for
Mr. B.S. Bhalla, Advocate for the petitioner(s).

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY. J. (Oral)

1. Status report dated 19.03.2024 filed in the form of an affidavit of Assistant Commissioner of Police, (West) Amritsar City is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Heard.
3. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
6	08.01.2024	379-B IPC (411 IPC added later on)	Chheharta, District Police Commissionerate, Amritsar

4. Learned counsel for the petitioner has submitted that in compliance to the order dated 05.03.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
5. Learned State counsel, on instructions from ASI Sukhdev Singh has

intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

6. Heard.

7. During the course of hearing on 05.03.2024, the following order was passed:-

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent having no criminal antecedents but has been falsely implicated in this case on the basis of alleged disclosure statement made by the co-accused, namely Zaid @ Munna Quarashi, from whom recovery of mobile phone of the complainant has already been effected. He contends that the petitioner has no concern whatsoever with the alleged occurrence nor he is involved therein. He further contends that the petitioner is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Harpreet Singh, Addl. AG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from ASI Sarwan Singh, intimates that the petitioner is having no criminal antecedents and has been named on the basis of disclosure statement of the co-accused, namely Zaid (supra). He further intimates that the mobile phone of the complainant has already been recovered from the said co-accused namely Zaid (supra) and prays for time to file the status report/reply in the matter.

5. Adjourned to 19.03.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

8. Investigating Officer (concerned) shall remain present on the date fixed along with the relevant records.”

8. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 05.03.2024 passed by this Court, interim bail granted vide order dated 05.03.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served

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by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

9. The petition stands allowed.

19.03.2024

S.Sharma(syr)

(SANJIV BERRY)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/ No