



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-30118-2024

Date of decision: 09.07.2024

GURJASHANDEEP SINGH @ JASHAN

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Shubham Goyal, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On 18.06.2024, a Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.98, dated 14.05.2024, under Sections 392/341/149/506/411 IPC, registered at Police Station Sadar, Jalandhar.

Learned counsel for the petitioner has contended that one Jashan Singh @ Buttar S/o Jasbir Singh has been named in the FIR whereas name of the petitioner is Gurjashandeep Singh @ Jashan and his father's name is Avtar Singh. So the petitioner is not the person who has been named in the FIR. He has further contended that there is an inordinate delay of 38 days in lodging of the FIR, which has not been explained. Another FIR bearing FIR No.85 dated 02.05.2024 under Section 379-B IPC was registered against the petitioner in which he has been granted concession of anticipatory bail and due to this fact, he has been falsely implicated in the present case. He has urged that it has not been disclosed that how the complainant was able to give the names, parentage, addresses of all the accused to the police and it is highly improbable that at his own he came to know about the names of all the accused persons. He has submitted that

the petitioner is ready and willing to join the investigation.

Notice of motion.

Mr. Malkiat Singh, DAG, Punjab accepts notice on behalf of respondent-State and seeks time for filing of the status report.

Adjourned to 09.07.2024.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

2. Status report by way of affidavit dated 09.07.2024 of Sh. Sukhninder Singh, PPS, Assistant Commissioner of Police has been filed on behalf of respondent-State. The same is taken on record. Copy of the same has been supplied to the opposite counsel.
3. Today, the learned State counsel on instructions imparted to him by ASI Bachittar Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial interrogation.
4. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 18.06.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

09.07.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No