

CRM-M-37459-2024

Jagjit Singh @ Joga Singh

Versus

State of Punjab

....Respondent.

Present:- Mr. Deepak Arora, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seek
anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
45	30.04.2024	454, 380, 411, 201 IPC	Shri Hargobindpur, Police District Batala

2. Learned counsel for the petitioner submits that in compliance to the orders dated 05.08.2024 and 19.09.2024, the petitioner has joined the investigation.

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3. During the course of hearing on 05.08.2024, following order has been passed: -

'The petitioner seeks grant of anticipatory bail in case bearing FIR No.45 dated 30.04.2024 registered under Sections 454/380/411/201 IPC at Police Station Shri Hargobindpur, Police District Batala.

The learned counsel for the petitioner submits that the petitioner has been named in the disclosure statement of arrested accused.

Notice of motion for 19.09.2024.

Ms. Ramta K Choudhary, DAG, Punjab accepts notice on behalf of the respondent-State.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his/her/their passport, if any.

Meanwhile, the State counsel is directed to file an affidavit as to the exact role of the petitioner along with the

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details of pending FIRs, if any, on or before the next date of hearing.'

4. On 19.09.2024, following order had been passed: -

'Short reply dated 16.09.2024 by way of an affidavit of Mr. Harkrishan Singh, PPS, Deputy Superintendent of Police, Sub Division Sri Hargobindpur, Police District Batala, on behalf of the respondent-State has been filed today in the Court and the same is taken on record, subject to all just exceptions.

Learned counsel for the petitioner submits that petitioner had joined the investigation. Learned State counsel submits that although the petitioner had joined the investigation but he is not co-operating.

The petitioner is again directed to join the investigation with the Investigating Officer in terms of the order dated 05.08.2024 passed by this Court.

Adjourned to 16.12.2024.

Interim order to continue.'

5. Learned State counsel on instructions received from ASI Tajinder, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. 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 05.08.2024 and 19.09.2024 passed by this Court, interim bail granted vide order dated 05.08.2024 and 19.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023

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(BNSS). 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 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.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16.12.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |