

CRM-M-43401-2023
Date of decision: 11.01.2024

Jaswinder KumarPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. C.S. Jattana, Advocate for
Mr. Gurbhagat Singh Gill, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in a case bearing FIR No.0067 dated 17.04.2023 (Annexure P-1) under Sections 420/465/467/468/470/471 of IPC (Sections 120-B of IPC and 66 of I.T. Act added later on 19.04.2023) registered at Police Station Canal Colony, District Bathinda.

On 01.09.2023, the following order was passed:-

‘This is a petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.0067 dated 17.04.2023, under Sections 420, 465, 467, 468, 470, 471 IPC (Section 120-B IPC and 66 of I.T. Act added later on 19.04.2023), registered at Police Station Canal Colony, District Bathinda.

Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in this case. It is pleaded that the petitioner has not been named in the FIR but is nominated on the basis of statement suffered by one Ranjit Singh @ Jeeta, who claimed to be a borrower. It is submitted that the only allegation against the petitioner is that he had got opened the bank account of said Ranjit

Singh and had taken the cheque book and ATM card. The alleged ATM card of said Ranjit Singh was recovered from co-accused Hardeep Singh and except for the aforementioned statement, there is no material against the petitioner to connect him with the crime. It is submitted that the petitioner is ready and willing to join investigation and abide by any stringent conditions that may be imposed by this Court.

Notice of motion, returnable for 15.11.2023.

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent-State and waives service. He opposes the present petition and seeks time to file reply/status report.

In the meanwhile, petitioner shall join the investigation and would associate as and when called. In the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal bond and surety to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall abide by the conditions specified in Section 438(2) Cr.P.C. '

Learned State counsel on instructions from HC Inderjit Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 01.09.2023 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

11.01.2024
Neha

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