

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(218)

**2024:PHHC: 005421
CRM-M-58822-2023
Date of Decision: 16.01.2024**

Jagtar Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. N.K. Kuhad, Advocate for petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

MANJARI NEHRU KAUL.J (Oral)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.297 dated 25.12.2018 under Sections 420, 406 and 120-B IPC registered at Police Station Civil Lines Bathinda, District Bathinda.

2. On the last date of hearing, i.e. 24.11.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not named in the FIR and his name surfaced in the supplementary statement of complainant as also in the disclosure statement of co-accused. Learned counsel for the petitioner submitted that even as per FIR, it is Gurtej Singh, who is the main accused and the petitioner at best can be said to be share-holder to the extent of 1% share only. Apart from the petitioner, Gurtej Singh, Simarjit Kaur, Balwinder Singh, Mander Singh, Gurmail Singh and Jagsir Singh were also nominated as accused in the said disclosure statement. It is further submitted that Gurtej Singh and Mander

Singh, who are the main accused as well as Simarjit Kaur, Jagsir Singh, and Gurmail Singh have already been granted the concession of anticipatory bail by this Court. Learned counsel submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 24.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 24.11.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

16.01.2024

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