

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-64115-2023
Date of decision: 11.03.2024

JAGDEEP SINGH

....PETITIONER

V/s

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Adhiraj Singh Thind, AAG, Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.118 dated 22.10.2023, registered for the offences punishable under Sections 451 and 354 of IPC at Police Station Khalra, District Tarn Taran.

2. On 20.12.2023, the following order was passed:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.118 dated 22.10.2023 under Sections 451, 354 of the Indian Penal Code, 1860 registered at Police Station Khalra, District Tarn Taran. Learned counsel for the petitioner would contend that there is a delay of 8 days in the registration of the FIR and no cogent reason is forthcoming for the delay. The learned counsel would further contend that a totally false case has been planted upon the petitioner. Notice of motion. Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of respondent-State of Punjab. List on 11.03.2024. Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned State counsel, on instructions from ASI Hari Singh, has stated that pursuant to the order dated 20.12.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present petition is allowed and interim order dated 20.12.2023, passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

March 11, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No