

“The Anticipatory Bail of the Petitioner Has Been Vs. State of Punjab

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Court : Punjab and Haryana

Decided On : Feb-18-2014

Appellant : “The Anticipatory Bail of the Petitioner Has Been

Respondent : State of Punjab

Judgement :

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH CRM No.M-37 of 2014 (O&M) Date of decision:18.02.2014 Jaspal Singh ..Petitioner versus State of Punjab ..Respondent CORAM: HON'BLE Mr.JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr.Sameer Sachdeva, Advocate for the petitioner.

Mr.Vaibhav Sharma, DAG Punjab....TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C.for grant of anticipatory bail to the petitioner in case FIR No.245 dated 19.12.2013 under Sections 452/323/324/506 IPC registered at Police Station Sohana, District SAS Nagar.

On 03.01.2014, while issuing notice of motion, the following order was passed by this Court: The anticipatory bail of the petitioner has been declined on the ground that the Kirpan which was used to inflict injury on Gurbachan Singh has not been recovered.

However, as per allegations in the FIR, the said Kirpan has been snatched away by Baljit Singh and Jagdeep Singh when they came in the room of the complainant-Gurbachan Singh.

Notice of motion for 28.01.2014.

Meanwhile, petitioner is directed to join the investigation as and when called by the Investigating Officer.

In the event of arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to Kaur Harjeet his satisfaction, subject to the conditions mentioned below, as 2014.02.19 13:34 I attest to the accuracy and integrity of this document CRM No.M-37 of 2014 (O&M) -2- envisaged in Section 438 (2) Cr.P.C.:- i.

a condition that the person shall make themselves available for interrogation by Police Officer as and when required; ii.

a condition that the person 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 from disclosing such facts to the Court or to any police officer; iii.

a condition that the person shall not leave India without the previous permission of the Court.

iv.

such other condition as may be imposed under sub section (3) of Section 437, as if the bail was granted that section.

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Learned State counsel upon instructions from ASI Balbir Singh would apprise the Court that the petitioner has since joined investigation and even the kirpan which had allegedly been used to inflict injury on the complainant, Gurbachan Singh already stands recovered.

In the light of the fact that the petitioner has joined investigation, his custodial interrogation would as such not be required.

Accordingly, the present petition is allowed.

The order dated 03.01.2014 is made absolute.

The petitioner, however, shall remain bound by the conditions enumerated under Section 438 (2) Cr.P.C. Disposed of.

February 18, 2014 (TEJINDER SINGH DHINDSA) harjeet JUDGE Kaur Harjeet
2014.02.19 13:34 I attest to the accuracy and integrity of this document

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