

**In the Court of Shri Jagdeep Singh Marok,
Additional Sessions Judge-I, Sangrur,
(Unique Identification No.PB0074)**

B.A. No.734 dated 29.01.2018
Registration no. ... 251/2018
CNR No. PBSG010007682018
Decided on 19.02.2018

Jaspal Giri @ Jassi aged 33 years son of Harchand Giri, resident of village
Bhanra, Tehsil & Distt. Patiala, presently residing at Zirakpur;

...Accused/Applicant.

Versus

State

F.I.R. No.0026 dated 19.01.2018
Under Section 420 IPC
P.S. City, Sangrur.

Application U/s 438 Cr.P.C. for anticipatory bail.

Present:- Shri G.S.Cheema, Adv., learned counsel for applicant/ accused
Shri Sanjeev Batra Public Prosecutor for the State
Shri D.S.Dalee, Adv. learned counsel for the complainant

ORDER

1. Heard on the application having been moved by applicant, Jaspal Giri @ Jassi, for grant of bail to him in view of the provisions of Section 438 Cr.P. C. in case F.I.R. No.0026 dated 19.01.2018, under Section 420 IPC, P.S. City, Sangrur.
2. In the application, it was alleged that the applicant ha sbeen falsely implicated in the above said FIR. The applicant had purchased the

said plots from the complainant and being the bonafide owner, later on sold the said plots to Raj Rani wife of Manohar Lal and Manohar Lal son of Babu Ram, residents of Krishanpura Colony. The applicant has not committed cheating as alleged. The police of P.S. City, Sangrur, has not fairly investigated the matter and is continuously raiding the house of the applicant and is bent upon to humiliate them. The applicant is ready to join the investigation of the case, if required and nothing is to be recovered from the applicant.

3. Pursuant to the notice given to the State, Shri Sanjeev Batra, learned Public Prosecutor assisted by Shri D.S.Dalee, Advocate, learned counsel for the complainant contested the claim of the applicant. Record of the case has been produced.

4. I have given thoughtful consideration to the respective submissions of both the parties and gone through the documents on the file.

5. In this case, the applicant was granted the concession of interim bail vide previous order dated 01.02.2018 and he has joined the investigation in pursuance to the said order. Shri Kashmir Singh ASI appeared along with record and has made a statement that the applicant has joined the investigation once and the amount involved in the case is yet to be recovered. Thereafter, he has not joined the investigation nor he was specifically called by him to join the investigation. So, under these circumstances, the criminal liability of the applicant is yet to be ascertained during the course of trial, when the parties would avail the

opportunities to lead evidence in support of their respective contentions and the presentation of challan and conclusion of trial is likely to take more time, as investigation in this case is yet pending. As discussed above, the applicant has already joined the investigation in compliance of the previous order dated 01.02.2018.

6. So, applying these considerations and keeping in view the facts and circumstances of the case, when the applicant has already joined the investigation, the application having been moved by the applicant is allowed and the concession of interim bail having been granted to him is made absolute subject to conditions as enumerated under Section 438 (2) Cr.P.C. Police record be returned along with copy of this order. File be consigned to the record room.

**Pronounced.
February 19, 2018.**

Madan Gopal
Stenographer-I

**(Jagdeep Singh Marok),
Additional Sessions Judge-I,
Sangrur.
(Unique Identification No.PB0074)**