

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

CRM-M No. 35540 of 2014 (O&M)
Date of decision: 09.01.2015

Hans Raj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.S. Bajaj, Advocate for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab
assisted by ASI Sulakhan Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.68, dated 22.09.2014, registered under Sections 420, 465, 466, 467, 468, 471, 120-B and 409 IPC, at Police Station Old Shalley, District Gurdaspur.

The learned counsel contends that the petitioner, who has now retired from his service as bank manager, sanctioned the loan on the pre-sanction report prepared by the Field Officer, Vishal Gupta, which was duly vetted by Vijay Kalia, the Legal Advisor, as reflected in Annexure P-5. The opinion, Annexure P-5, was given on the basis

of the non-encumbrance certificates, Annexures P-3 and P-4, issued by the Sub Registrars of Batala and Dera Baba Nanak, respectively. The learned counsel states that the petitioner is being selectively prosecuted.

The learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 28.11.2014, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

09.01.2015

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(JITENDRA CHAUHAN)
JUDGE