

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-3742-2014
Date of decision:11.8.2015

Gurbant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Anmol Rattan Sidhu, Sr. Advocate with
Mr.Manhar S. Saini, Advocate and
Mr.Sandeep Gahlawat, Advocate for the petitioner.

Mr. K.D.Sachdeva, Addl. A.G., Punjab.

Mr.Vikas Kuthiala, Advocate for respondent No.2.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.102 dated 2.6.2012 registered under Sections 409, 420, 465, 467, 468 and 471 IPC at Police Station Kotwali, Bathinda.

Notice of motion was issued and interim protection was granted to the petitioner.

Learned senior counsel for the petitioner submits that in compliance of the order dated 31.1.2014 passed by this Court, petitioner has repeatedly joined the investigation and has extended his full cooperation to the investigating agency. He further submits that petitioner is no more required for any further investigation. He prays for allowing the present petition.

On the other hand learned counsel for the State as well as learned counsel for the complainant submit that petitioner has issued very

many bogus bills with a view to embezzle the public money. They further submit that since allegations against the petitioners are serious in nature, they are not entitled for the concession of anticipatory bail. They jointly pray for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that since the learned senior counsel for the petitioner has connected the deposit of different amounts in the bank statement (Annexure P-7), referring to the reply filed by the State at Annexures R-1 and R-2, petitioner has been found entitled for the concession of anticipatory bail. It is so said because despite having been put specific query by the Court, learned counsel for the respondents could not point out any discrepancy in the bank statement (Annexure P-7). In such a situation, custodial interrogation of the petitioner would not be required.

In view of the above and without commenting anything further on the merits at this stage, lest it should prejudice the rights of either of the parties, the present petition is allowed. The order dated 31.1.2014 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

11.8.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE