

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

CRM-M -11631 of 2016 (O&M)

Date of decision: 14.09.2016

Rattan Lal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. SPS Sidhu, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by HC Rajpal 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 FIR No.33 dated 17.03.2016, registered under Sections 420 and 120-B IPC, at Police Station City, Sri Muktsar Sahib.

On 04.04.2016, this Court had passed the following order:-

“FIR in question has been registered on the complaint of Sarabjit Singh. Allegations are against Sukhmander Singh of having misappropriated a sum of Rs.1.50 lacs on the pretext of getting a job to the daughter of the complainant against certain posts advertised in ITI, Ferozepur.

Counsel would submit that the entrustment of money is to Sukhmander Singh and the present petitioner, who happens to be Deputy Director of the ITI in question is sought to be implicated by alleging that co-accused Sukhmander Singh had arranged meeting of the

complainant with a person, namely, Jaswinder Singh, who claims to be P.A. to Deputy Director.

It is contended that Jaswinder Singh never served on the post of P.A. to Deputy Director and in any case, the petitioner possesses an unblemished service of 38 years and is on the verge of superannuation.

Notice of motion, returnable for 18.07.2016.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 04.04.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that 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 04.04.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

14.09.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No