

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

**CRM No.M-32657 of 2016 (O&M)
Date of Decision: October 06, 2016**

Jaswinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Puneet Bali, Senior Advocate with
Mr.Gunjan Rishi, Advocate
for the petitioner.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.220 dated 13.10.2014 under Sections 420, 409, 465, 467, 468, 471, 167 and 120-B IPC, registered at Police Station Sohana, Mohali.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the first bail application of the petitioner has already been dismissed by this Court vide order dated

02.02.2015. Since then, the petitioner has not surrendered before the police. Earlier, the anticipatory bail application of the present petitioner, who was named in the FIR, was dismissed in view of the allegations of embezzlement of funds levelled against him and in view of the nature and gravity of the offence and further in view of the fact that petitioner is required for custodial interrogation. Now, no changed circumstance has been shown for grant of anticipatory bail.

Learned counsel for the petitioner relied upon the order dated 24.08.2015 passed by learned Judicial Magistrate Ist Class, Chandigarh, vide which the Magistrate has stated that the members of the SIT have requested to drop the proceedings against the accused persons at that stage.

Today, in the Court, the Head/Chairman of SIT i.e. S.P. Investigation namely Gursharandeep Singh Grewal is present in the Court and has stated that during investigation, the petitioner is not found innocent and he is required for custodial interrogation.

Learned State counsel also argued that present petitioner has not been found innocent during the investigation and he is required for custodial interrogation. Learned State counsel further argued that no ground is made to grant anticipatory bail to the petitioner and there is no changed circumstance.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and in view of the fact that there is no changed circumstance in the present case and the petitioner is required for custodial interrogation, I do find it a fit case, where petitioner is

entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

October 06, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No