

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

(213)

CRM-M-39139-2015

Decided on: January 28, 2016.

Gurbachan Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

(2)

CRM-M-39254-2015

Decided on: January 28, 2016.

Sunil Vikram @ Vicky

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. G.S. Jaswal, Advocate,
for the petitioner in CRM-M-39139-2015.

Mr. J.S. Bedi, Sr. Advocate, with Mr. V.D. Goyal, Advocate,
for the petitioner in CRM-M-39254-2015.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

This order will dispose of two applications for grant of pre-arrest bail, one (CRM-M-39139-2015) filed by Gurbachan Singh and the other (CRM-M-39254-2015) filed by Sunil Vikram @ Vicky.

The FIR was registered at the instance of Branch Manager of HDFC Bank alleging that an attempt had been made to get released Rs.15 crore on the basis of a cheque dropped in the account of Sukhwinder Singh and Rakesh Chaudhary. Co-accused of the petitioner was arrested on 20.06.2015 on the disclosure statement of said Rakesh Chaudhary. He named Dilawar Singh, Harish and Ashu to have connived with each other.

The petitioners have joined investigation. Challan has already been presented. It does not appear to be a case of custodial interrogation qua the petitioners as neither any amount has been withdrawn nor the same is alleged to have been received or released by the petitioners. So far as the role played by them in conspiracy with other main accused is concerned, it has to be determined on the basis of appreciation of evidence which is yet to be produced.

Petitioners having joined investigation; challan having already been presented; custodial interrogation of the petitioners being not required, they can be granted concession of pre-arrest bail.

In view of said circumstances, both the petitions are allowed. It is ordered that in case of arrest of petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the following conditions:

- (1) Petitioners will not take any steps to tamper with the evidence or hamper the further proceedings before the trial Court;
- (2) Petitioners will not leave India without the permission of the Court; and
- (3) Petitioners will not commit similar offence of which they are accused of during pendency of the trial.

(M.M.S. BEDI)
JUDGE

January 28, 2016
harsha