

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-5910 of 2016 (O&M)

Date of Decision: 16.05.2016

Om Parkash & another

--Petitioners

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. K.P.S. Dhillon, Advocate for the petitioners.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners in case F.I.R. No.93 dated 7.8.2013 under sections 420, 465, 467, 468, 471, 120-B I.P.C, registered at Police Station, Bilga, District Jalandhar.

On 19.2.2016, while issuing notice of motion, the following order was passed by this Court:-

“Allegations are with regard to a loan having been obtained fraudulently from Vijaya Bank for agricultural purposes under a Kisan Credit Card Scheme.

Counsel for the petitioners would contend that in an inquiry conducted by the Economic Offences Wing, findings have been returned that it was Jarnail Singh and Harjinder Singh in connivance with Halqa Patwari had procured forged Jamabandis. It is further submitted that the aforesaid persons also in connivance with Surender Singh, Shamsher Singh and Jagmohan Singh have produced forged sale deeds and on the strength of which the load was obtained.

The present petitioners are stated to be bank officials and against whom no findings have been recorded. Counsel submits that the petitioners, otherwise, are ready and

willing to join investigation.

Notice of motion, returnable for 16.5.2016.

In the meanwhile, petitioners are directed to join investigation.

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

Learned State counsel upon instructions from ASI Jaswinder Singh would apprise the Court that the petitioners have since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioners, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 19.2.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

16.05.2016
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