

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

CRM-M -8539 of 2016 (O&M)

Date of decision: 14.09.2016

Shardev Singh Gill

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Parvez Chugh, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Lakhwinder 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.55 dated 05.08.2014, registered under Sections 420, 467, 468, 471, 379 and 120-B IPC, at Police Station Malout, District Sri Muktsar Sahib.

On 22.03.2016, this Court had passed the following order:-

“Prayer is for grant of anticipatory bail in case FIR No.55 dated 5.8.2014 under Sections 420,467,468,471,379,120-B IPC,PS Malout, Distt.Sri Muktsar Sahib.

It is contended that allegations of forging official documents of the College and mis-appropriating the salary

qua three persons are against the present petitioner, who was then working as Principal alongwith co-accused Balishter Singh Mann the then Chairman of the Society running the College. It is further contended that there is dispute between the previous management and the subsequent management with allegations and counter allegations in various civil suits pending between the parties. Allegations in the present FIR were made in the year 2013 and till now the investigations are stated to be pending with the oblique motive of putting pressure upon the petitioner and co-accused. Lastly, it is submitted that co-accused Balishter Singh Mann facing similar charges has been granted pre-arrested bail by the court below vide order dated 21.5.2015(P-7).

Notice of motion for 26.5.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer/Trial Court. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 22.03.2016, 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 22.03.2016, 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

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No