

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

CRM-M-11447-2018 (O&M)

Date of decision:04.05.2018

Sarabjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. D.V. Sharma, Senior Advocate with
Ms. Shivani Sharma, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.20, dated 16.12.2014, under Sections 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act and Sections 409/420/467/468/471/120-B IPC, registered at Police Station Vigilance Bureau, District Amritsar.

While issuing notice of motion, the following order was passed by this Court on 19.03.2018:

“Instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.20 dated 16.12.2014, under Section 13(1) (d) read with Section 13 (2) of the Prevention of Corruption Act, 1988 and Sections 409/420/467/468/471/120-IPC, registered at Police Station Vigilance Bureau, District Amritsar.

FIR was registered in the year 2014 in pursuance to a vigilance inquiry and which reflected that between the period 2006 to 2012, 89 Revolving Cash Credit limits (RCC) were

sanctioned and out of which 14 RCC limits were allowed on the basis of forged documents. The alleged fraud was stated to the tune of Rs.82 lacs. As per FIR the accused were the Branch Managers, namely, Kaushal Khajuria Rajwinder Singh Patwari, Randhir Singh, Secretary as also certain other officials.

Learned Senior counsel submits that during the course of investigation, present petitioner who had served as District Manager, Gurdaspur Cooperative Bank was not found to be involved and as such he was not nominated as an accused.

It is only on account of a second application moved under Section 319 Cr.P.C. and the same having been allowed that the present petitioner has been summoned to face trial as an additional accused.

Inter alia argued that none of the 14 RCC limits had been sanctioned by the present petitioner in his individual capacity while holding the post of District Manager. Petitioner was stated to be only a member of the Loan Sub Committee constituted by the Board of Directors. Further argued that under the facts and circumstances of the case wherein the entire documentary evidence is already in possession of the Investigating Agency, custodial interrogation of the petitioner would not be warranted as petitioner otherwise is ready and willing to face trial proceedings.

Notice of motion, returnable for 04.05.2018.

In the meanwhile, it is directed that in the eventuality of the petitioner putting in appearance before the trial Court on 28.03.2018, he would be entitled to interim bail subject to satisfaction of the trial Court.”

Learned State counsel upon instructions from Inspector Jaspinder Singh informs the Court that the petitioner has duly appeared before the trial Court on 28.03.2018 and has been admitted to interim bail upon furnishing requisite bail/surety bonds.

Petitioner having already joined trial proceedings, prayer made in the present petition is accepted. Order dated 19.03.2018 passed by this Court is made absolute.

Disposed of.

04.05.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |