

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

CRM-M-32169-2018
Date of decision: 27.08.2018

Vinit Kumar Khandelwal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ithlesh, Advocate for
Mr. L. S. Sidhu, ADvocate
for the petitioner.

Mr. Sidakmeet Sandhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 91 dated 14.10.2017, registered under Sections 420, 465, 467, 468, 471 and 120-B of the IPC at Police Station City-1, Mansa, District Mansa.

The operative part of the order dated 06.08.2018, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioners submits that in CRM-M- 25505-2018 filed by co-accused Sandeep Kumar, following order has been passed on 11.06.2018: -

“Learned counsel for the petitioner submits that after registration of the FIR, the matter was got enquired by the Superintendent of Police (Investigation), Mansa and in the enquiry, there is no allegation against the petitioner that he has connived with coaccused Tarsem Singh for preparation of the revenue record for taking loan from the bank. It is further submitted that beneficiary Ramandeep Kaur wife of Tarsem Singh has been granted the concession of anticipatory bail vide order dated 14.05.2018 passed in CRM-M-16826-2018 and Tarsem Singh and others have been granted the concession of regular bail vide order dated 14.12.2017. Notice of motion for

27.08.2018. In the meantime, petitioner is directed to appear before the Investigating Officer within a period of 10 days to join the investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions: - 1. He shall make himself available for interrogation by a police officer as and when required; 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and 3. He shall not leave India without previous permission of the Court.”

Learned counsel for the petitioners further submits that both the petitioners are similarly situated with coaccused Sandeep Kumar, as they are also employees of the Bank and are not the beneficiaries. Notice of motion for 27.08.2018. To be listed along with CRM-M-25505-2018. In the meantime, petitioners are directed to appear before the Investigating Officer within a period of 10 days to join the investigation and they shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions: - 1. They shall make themselves available for interrogation by a police officer as and when required; 2. They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and 3. They shall not leave India without previous permission of the Court.”

Counsel for the petitioner has further submitted that the petitioner is also a similarly situated employee of the said Bank, who has acted on the advice/actual search report, prepared by the Bank's Advocate, who has also been granted the concession of interim anticipatory bail vide order dated 29.05.2018 passed in CRM-M No.23244 of 2018. It is further submitted that another co-accused namely Sandeep Kumar, has also been granted the concession of interim anticipatory bail vide order dated 11.06.2018 passed in CRM-M No.25505 of 2018. Counsel for the State, on instructions from ASI Sukhjinder Singh, has submitted that the main accused – Tarsem Singh, who had applied for the loan as well as the guarantor of Amarjit Singh, has already been arrested in the case. List again on 27.08.2018. Interim order in the same terms as in CRM-M No.25505 of 2018.”

Learned counsel for the petitioner submits that the petitioner, in

pursuance to the order dated 06.08.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Taljinder Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 06.08.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

August 27, 2018
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No