

**CRM-M-38532-2018 and
CRM-M-40027-2018**

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

Date of Decision: 13.11.2018

1. CRM-M-38532-2018

Divej Kapoor

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-40027-2018

Ashish Sahi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioner in CRM-M-38532-2018.

Mr. Pankaj Chandgothia, Advocate,
for the petitioner in CRM-M-40027-2018.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

This order shall dispose of CRM-M-38532-2018, filed by
petitioner-Divej Kapoor and CRM-M-40027-2018, filed by petitioner-
Ashish Sahi, under Section 438 of the Code of Criminal Procedure, 1973

**CRM-M-38532-2018 and
CRM-M-40027-2018**

30.10.2017, registered at Police Station Vigilance Bureau, Ferozepur, District Ferozepur, under Sections 13 (1) (d) read with Section 13 (2) of the the Prevention of Corruption Act, 1988 and Sections 409, 420, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

As per the prosecution version, the only allegation against the accused is that they have forged a balance sheet. The fact regarding forging of balance sheet came into light during the investigation of another FIR qua which the police has already filed the cancellation report and the same has been accepted by the Illaqa Magistrate. However, revision filed against that order is still pending.

In pursuance of the interim orders dated 06.10.2018 passed in CRM-M-38532-2018 and dated 16.10.2018 passed in CRM-M-40027-2018 by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. The case is based on documentary evidence. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without

**CRM-M-38532-2018 and
CRM-M-40027-2018**

petitions and the same are allowed. The orders dated 06.10.2018 passed in CRM-M-38532-2018 and dated 16.10.2018 passed in CRM-M-40027-2018, granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

13.11.2018
parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No