

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

208/2

**CRM-M No. 41214 of 2018
Decided on: 10.10.2018**

Brij Lal and another

.....Petitioners

Versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr.SPS Sidhu, Advocate, for the petitioners

Mr. K.S. Aulakh, DAG, Punjab

Rajbir Sehrawat, J.(Oral)

Present petition has been filed under Section 438 of the Cr.P.C. for seeking anticipatory bail to the petitioners in FIR No. 174 dated 29.7.2018, under Sections 408 and 420 IPC, registered at Police Station Kotwali, Bathinda. The allegations in the case are regarding misappropriation of the funds of the society.

Learned counsel for the petitioners contends that petitioner No.1 had no concern with the management of the Society after February 2016 and there is no allegation of misappropriation during his period. So far as, petitioner No.2 -Subhash Chander is concerned, it is submitted by learned counsel for the petitioner that except three cheques, the petitioner had not signed any cheque, which might have been encashed by the Secretary of the Society-Devi Lal. If any signatures are there on the cheques, except those three cheques, then the petitioner is ready to give his sample signatures for comparison by the FSL because petitioner No.2 had not signed any cheque, as

claimed by the police.

Learned State counsel has produced the details of the cheques, which shows that most of the cheques have been signed by one K.L. Singh along with Devi Lal. There are very few cheques, which are signed by petitioner No.2.

In view of the above, the present petition is allowed. It is ordered that the petitioners shall join the investigation as and when so required by the Investigating Agency. However, the Investigating Officer is directed to release the petitioners on bail on their furnishing bail bonds/surety to the satisfaction of the Arresting Officer, in case they are arrested. It is further directed that the petitioners shall also observe the other conditions as required under Section 438(2) of Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

10.10.2018

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No