

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-43584-2018

Date of Decision: 14.11.2018

Narinder Nath

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bhriugu Dutt Sharma, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J.(Oral)

Petitioner Narinder Nath has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.450 dated 09.09.2017, registered at Police Station Civil Lines, District Amritsar, under Sections 420, 467, 468, 471, 409 and 120-B of Indian Penal Code, 1860, read with Sections 7, 13(1), 13(1)(a), 13(1)(b), 13(1)(c) and 13(1)(d) of the Prevention of Corruption Act, 1988.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

As per the prosecution version, Daman Bhalla, who was an employee of the Improvement Trust, Amrtisar, had embezzled and misappropriated crores of rupees by forging cheques etc. and had deposited

₹75,000/- in the account of his father, who is the present petitioner, by

misusing the cheque of the Improvement Trust, Amritsar. Moreover, the present petitioner is not a public servant nor there is any allegation that he has misappropriated or embezzled the money.

In pursuance of the interim order dated 09.10.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner 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 expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 09.10.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

14.11.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No