

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 30.07.2018

1. CRM-M-6286-2018

Rajesh Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

AND

1. CRM-M-16070-2018

Rashpal Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vinor S. Bhardwaj, Advocate for the petitioner
in CRM-M-6286-2018.

Mr. J.S. Bagga, Advocate for the petitioner
in CRM-M-16070-2018.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J.

Both the above-mentioned cases are taken up together as the same have arisen from the same FIR.

Petitioner-Rajesh Kumar has filed CRM-M-6286-2018 under Section 438 for grant of anticipatory bail and petitioner-Rashpal Singh has filed CRM-M-16070-2018 under Section 439 Cr.P.C. for grant of regular bail in case FIR No.254 dated 27.12.2017, registered at Police Station Lalru, Tehsil Derabassi, District SAS Nagar, Mohali under Sections 406, 420 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 have gone through the record.

CRM-M-6286-2018

As argued by learned State counsel on the basis of investigation that earlier the petitioner had returned ₹28.70 lacs to the complainant and now as per the direction of this Court vide order dated 15.02.2018, ₹25 lacs more have been paid by the petitioner. The challan has already been presented against the petitioner.

In pursuance of the interim order dated 15.02.2018 passed in CRM-M-6286-2018 by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him 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 15.02.2018 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.

CRM-M-16070-2018

As regarding Rashpal Singh, earlier he was in custody but was ordered to be released on interim bail by this Court vide order dated

substantial amount has already been paid/deposited. He is not required for any investigation or interrogation purposes. The trial of the case will take long time. No useful purpose will be served by sending the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and order dated 08.05.2018 granting interim bail to the petitioner is made absolute.

30.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No