

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 33433 of 2019
Date of Decision: 06.11.2019**

Jogi Raj and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. J.S.Dadwal, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition, the petitioners seek anticipatory bail in case FIR No. 32 dated 28.5.2019, registered under Sections 406, 420 IPC, Police Station City Raikot, District Ludhiana.

On 20.8.2019, the following order was passed by this Court:

“ Notice of motion for 27.09.2019.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners states that pursuant to the order dated 20.8.2019 passed by this Court, the petitioners have joined the

investigation. Moreover, the allegation against the petitioners regarding the embezzlement of amount, is of the year 2013 whereas the present FIR has been registered in the year 2019. It has been pointed out by the learned counsel for the petitioners that till date no civil suit has been filed by the complainant.

Learned State counsel, on instructions from SI Davinder Singh, submits that though the petitioners have joined investigation but recovery is yet to be effected.

To the mind of this Court, the dispute between the parties arose in the year 2013, whereas the FIR in question has been registered in the year 2019. No civil suit is pending against the petitioners.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 20.8.2019 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

November 06, 2019
Gurpreet

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