

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55637-2018

Date of Decision: 31.01.2019

Kashmir Singh Chawla

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Raman Goklaney, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Kashmir Singh Chawla has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.131 dated 01.11.2018, registered at Police Station City Jalalabad, District Fazilka, under Sections 406, 408 and 420 of the Indian Penal Code.

Notice of motion was issued.

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.

Learned counsel for the petitioner submits that as there is no account of the Gurudwara Sahib, the money received has been deposited in the account opened in the name of the petitioner. The Trust has no concern with the Gurudwara Sahib as the Trust is a separate entity. He further submits that he has no objection to transfer the amount in any of the account in the name of the Gurudwara Sahib, if it is opened.

In pursuance of the interim order dated 18.12.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would 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 18.12.2018, 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.

31.01.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No