

207

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

CRM-M No.242 of 2020

Date of Decision: 02.03.2020

Joginder Doda

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. J.S. Ghumman, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.16 dated 09.02.2018 registered under Sections 420, 467, 468, 471, 120-B, 506 IPC and Sections 7, 13(2) of the Prevention of Corruption Act (offences under Sections 384, 385 IPC added later on) at Police Station City-1, Abohar, District Fazilka.

At the time of issuance of notice of motion on 08.01.2020, following order was passed:-

“Learned counsel for the petitioner contends that initially the petitioner was granted anticipatory bail by the Court of Sessions. The same was cancelled on 13.10.2018. The order of cancellation of anticipatory bail was maintained by the High Court in CRR No.3857

of 2018 and the SLP No.99 of 2019 filed against the said order was got dismissed as withdrawn on 18.01.2019. The present petition has been filed on the basis of changed circumstances.

Learned counsel further submits that after dismissal of bunch case in CRM-M No.16366 of 2018 on 10.10.2018, the Hon'ble Apex Court has granted interim protection in favour of Inderjit, Avinash Doda and Rajiv Kumar vide order dated 20.11.2018. After dismissal of the SLP, the co-accused namely Sunita Doda also filed CRM-M No.25529 of 2019 in the High Court for the grant of anticipatory bail. The said petition was dismissed vide order dated 19.08.2019. The Investigating Agency opposed the prayer on the ground that six unused stamp papers were to be recovered from the co-accused. Sunita Doda has been granted interim protection by the Hon'ble Apex Court on 06.12.2019 in SLP No.10307 of 2019. Subsequently, the Bank has admitted that the stamp papers which the Investigating Agency was seeking to recover from the accused, are lying in the Bank itself.

Notice of motion for 14.01.2020.

Till the next date of hearing, petitioner may not be arrested.”

Thereafter, on the basis of communication issued by the Bank, petitioner was directed to supply the documents to the Investigating Officer and Investigating Officer was directed to verify the same.

Learned counsel for the petitioner submits that even in case of Sunita Doda, the Hon'ble Apex Court has allowed the appeal.

Learned State counsel on instructions from D.S.P. Rahul Bhardwaj states that the petitioner has joined the investigation and his presence is no more required for further investigation in the present case.

In view of aforesaid position, this petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country,

without prior permission of the Court and shall
surrender his passport, if any.

02.03.2020

(RAJ MOHAN SINGH)
JUDGE

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No