

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15320-2020 (O&M)

Date of Decision: 16.06.2020

Jasjeet Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. CL Premy, Advocate for the petitioners

Ms. Rashmi Attri, AAG, Punjab

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Jasjeet Singh stated to be 42 years of age and working as Panchayat Secretary, has filed the present petition *inter alia* praying for anticipatory bail in case FIR No.0052 dated 26.05.2020 under Section 409 IPC, registered at PS Kot Ise Khan, District Moga.

Learned counsel for the petitioner submits that the FIR is abuse of process of law. Counsel has urged that on 26.05.2017 (P2), the petitioner was transferred out of the present place of posting i.e. Kot Ise Khan to Bamiyaal. He further submits that the petitioner had handed over the charge also (P6). Regarding the alleged allegations, it is averred that on 18.07.2018 itself, as per the own documents of the Department, a substantial amount, as alleged, was found in the records of the Department. He further submits that the remaining amount has been spent by the Sarpanch after his posting out of the station, namely, Kot Ise Khan. The petitioner has been reinstated vide order dated 06.01.2020 (P10). Still further, counsel submits that in a regular

inquiry involving same/similar charges, the petitioner has been exonerated vide report dated 11.05.2020 (P11).

Notice of motion.

On the asking, Ms. Rashmi Attri, AAG, Punjab accepts notice through video conferencing.

Learned counsel for the petitioner submits that because of COVID situation also, retaining of the petitioner behind the bars would be dangerous to his life.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this anticipatory bail petition is disposed of with a direction to the petitioner to join the investigation and appear before the Investigating Officer. The petitioner shall continue to join the investigation as and when required by the IO.

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

The prosecution is free to move an application for cancellation of bail in case the petitioner does not cooperate with the police.

The petition stands disposed of accordingly.

16.06.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No