

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No. 21366 of 2019
Date of Decision: January 13, 2020

Abhishek Jagpal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasraj Singh, Advocate,
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.69 dated 20.04.2019, under Sections 420 and 409 IPC, registered at Police Station Sadar, District Hoshiarpur. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 10.05.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged embezzlement was detected after the death of the In-charge of the said post-office. He further relies upon the interim order granted in favour of the co-accused by this Court in CRM-M-

20084-2019 dated 03.05.2019 (Annexure P-2). It is further pointed out that the only role attributed to Abhishek Jagpal (petitioner) that he had tallied the accounts of the post office which may not give any occasion to embezzle the amount.

Notice of motion for

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Surinder Kumar, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 10.05.2019 is made absolute.

Petition stands disposed off.

January 13, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No