

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

**CRM-M-25185-2020
Date of decision: 11.11.2020**

Om Parkash

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.25 dated 23.02.2020 under Sections 420, 465, 467, 468, 471 IPC, registered at Police Station Khui Khera, District Fazilka.

The operative part of the order dated 01.09.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned senior counsel for the petitioner submits that the petitioner joined as Salesman with the complainant-Society on 01.11.1979 and his date of birth was mentioned as 02.06.1959. Later on, in the year 2016, he was promoted as Secretary and retired from service on 29.06.2019 and was also granted the pensionary benefits. It is further submitted that now this FIR has been registered on a premise that the petitioner has given wrong date of birth and his actual date of birth is 02.01.1959, therefore, he has worked for excessive period causing loss to the complainant-Society, however, the FIR nowhere states that the petitioner, while working in the capacity of Secretary, has committed any illegality, irregularity or

embezzlement of amount.

Learned senior counsel for the petitioner further submits that during the entire service tenure, the complainant-Society had enough time to verify the date of birth of the petitioner and at the fag end of his career, the petitioner has been falsely implicated.

Notice of motion for 11.11.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 01.09.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Kulwant Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 01.09.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

11.11.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No