

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

**CRM-M No.48591 of 2019 (O&M)
Date of Decision:- 07.01.2020**

Nirmal Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. S.S. Sodhi, Advocate
for the petitioner.

Mr. Jagmohan Singh Ghuman, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.28 dated 11.10.2019, registered under Sections 409, 419, 420, 465, 467, 468, 471, 120-B of Indian Penal Code and 13 (1) (A), 13 (2) of Prevention of Corruption Act, at Police Station Vigilance Bureau Ferozepur.

On 16.09.2019, following order was passed:-

“Prayer is for grant of anticipatory bail in case FIR No.28 dated 11.10.2019 under Sections 409,419,420,465,467,468,471,120-B IPC and Section 13 (1)(A), 13 (2) of the Prevention of Corruption Act registered at P.S Vigilance Bureau Ferozepur.

The allegations in the FIR are that an amount of Rs.45000/-each to various villagers as a grant under Indra Awas Yojna for construction of mettled houses was sent by the Central Government to the Zila Parishad for distribution to the intended beneficiaries. It is alleged that the petitioner, who was Accountant in the office of BDPO, Fazilka got the cheques issued under the signatures of one Harkrishan-BDPO, Fazilka without identifying the beneficiaries.

Learned counsel for the petitioner contends that the petitioner has no role in the commission of crime. The cheques were issued in the name of the beneficiaries. Neither the petitioner had prepared any list for distribution of payment qua grant to any of the villagers nor was he involved in identification of the beneficiaries and opening their accounts. Even, the cheques were also not handed over to the petitioner.

Notice of motion for 07.01.2020.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required”

In compliance to the aforesaid order, learned counsel for the petitioner states that the petitioner has joined the investigation and undertakes to join further investigation as and when called upon to do so by the Investigating Agency.

Learned State counsel on instructions from ASI Jagjit Singh admits the same and states that his custodial interrogation is no more required in further investigation of the case.

In view of the statement made by learned State counsel, order dated 16.09.2019 is made absolute, however petitioner shall keep on abiding the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

07.01.2020

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**(Raj Mohan Singh)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No