

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CRM No. M-11459 of 2021
Date of Decision : 20.09.2021

Guzafar Ali

....Petitioner

Versus

State of Punjab

....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 12, dated 26.01.2021, registered under Sections 408, 420, 120-B IPC at Police Station Gobindgarh, District Fatehgarh Sahib.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 12.03.2021. Order dated 12.03.2021 is as under:-

“This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No. 12, dated 26.01.2021, registered under Sections 408, 420, 120-B IPC at Police Station Gobindgarh, District Fatehgarh Sahib.

Counsel for the petitioner inter alia would contend that dispute pertains to embezzlement of an amount of Rs.22,532/- whereas he had in fact taken a loan of Rs. 1 lakh from the

company. It is argued that he is willing to deposit the amount of Rs.22,532/- by way of demand draft in the name of the complainant with the Investigating Officer to show his bona fides, which amount should be adjusted in case the petitioner herein is successful in establishing his case in the FIR.

Notice of motion for 19.09.2021.

Mr. M.S. Nagra, DAG, Punjab, who is present through the medium of video conferencing accepts notice for the respondent-State.

Meanwhile, the petitioner is directed to join the investigation and deposit the amount of Rs.22,532/- by way of demand draft in the name of the complainant with the Investigating Officer within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Gurbhej Singh states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

In view of the above, the order dated 12.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the

Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 20, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No