

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-20386 of 2021
Date of decision:19.07.2021

Jatinder Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Tarun Singla, Advocate for the petitioner.

Mr. Ajay Pal Singh, DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

On 21.05.2021, this Court passed the following order:-

“The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for pre-arrest bail in FIR No.144 dated 26.12.2020, registered under Sections 419, 420, 465, 467, 468 and 471 IPC, at Police Station City Nakodar, District Jalandhar Rural.

The FIR was registered on the complaint submitted by Balkar Singh son of Kartar Singh, resident of Village Bhullar. He alleges that he is working as a labourer and on the basis of a forged ration card and driving licence, a false account was

opened in his name in Capital Local Area Bank, Nakodar, District Jalandhar. He further alleges that on receipt of notice from the Income Tax Department to explain the transactions of more than Rs.28,00,000/-, he became aware of the account and on further inquiry, it was found that an account has been opened in his name by using forged and fabricated documents. He has also alleged that he has never signed any account opening form. On investigation, it was found that Ajay Kumar son of Late Ravinder Kumar, who was also working in the same bank at the relevant time had opened the account and the petitioner had signed as introducer.

Learned counsel representing the petitioner contends that the petitioner is not alleged to have derived any financial benefit and he introduced Balkar Singh on the asking of Ajay Kumar. He further submits that the petitioner has already joined the investigation and apart from the aforesaid mistake, the petitioner has not gained any benefit.

Notice of motion.

On the request of this Court, Mr. R.S.Thind, DAG, Punjab, accepts notice on behalf of the State of Punjab.

Adjourned to 19.07.2021.

After having considered the arguments at some length, this Bench is of the considered view that prima facie, the petitioner

deserves to be granted interim protection against arrest.

Hence, let the petitioner join investigation.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall 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, on instructions from ASI Paramjit Singh submits that the petitioner has joined investigation and is no longer required for custodial interrogation. He has further instructions to submit that no other case is pending against the petitioner.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 21.05.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

July 19, 2021
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No