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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.23077 of 2021 (O&M)
Decided on: 28.06.2021

Baljinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. D.S. Gurna, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Ravish Bansal, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR
No.112 dated 22.05.2021, registered under Sections 420 and 406 IPC at
Police Station Pasyansa District Patiala.

The operative part of the order dated 18.06.2021, vide
which interim anticipatory bail has been granted to the petitioner, is
reproduced as under:-

*“...Learned counsel for the petitioner by making
reference to pleadings in the petition submits that the
petitioner had only joined as an employee in Uggarsain
B.K.O. Kakrala, Tehsil & District Patiala. The case of the
petitioner further is that his role was only to approach the
customers and procure orders. It was not his duty to get
the bricks supplied from the owner nor as the Bhatha
Munshi i.e. incharge of inventory.*

CASE HEARD THROUGH VIDEO CONFERENCING

On 15.06.2021, notice of motion was issued. In response thereto, Mr. Manreet Singh Nagra, Asst. A.G., Punjab, appears on behalf of the State and Mr. Ravish Bansal, Advocate, puts in appearance on behalf of the complainant.

Learned counsel for the complainant submits that there is a specific allegation of misappropriation of sale amount of Rs.20 lakhs of sale of bricks and a motor cycle and for recovery of Rs.20 lakhs and returning of motorcycle.

Learned State counsel, on instructions from ASI Baljit Kumar submits that the present FIR is dated 22.05.2021 and the matter is still under investigation.

Faced with the situation, learned counsel for the petitioner submits that in order to show his bona fides, the petitioner would get an FDR of Rs.5 lakhs made in his own name and in addition to the same, he will deposit property papers worth Rs.5 lakhs with the Investigating Officer, which would remain as security and shall further abide by the orders to be passed by the trial Court. He submits that the petitioner is ready to join the investigation and because of COVID situation also, retention of the petitioner behind the bars would be dangerous to his life.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioner to join the investigation and appear before the Investigating Officer.

List on 28.06.2021....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 18.06.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

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Counsel for the State assisted by counsel for the complainant and on instructions from the Investigating Officer, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 18.06.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

28.06.2021
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No