

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

207+101

**CRM-M No. 48938 of 2018 (O&M)
Date of decision :13.09.2021**

Jaswant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jasmail Singh Brar, Advocate for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J.

Case is taken up for hearing through video conferencing.

CRM-29503-2021

This is an application under Section 482 Cr.P.C for placing on record decision dated 04.08.2020 (Annexure P-7), Sub Rules concerning Secretatory (Annexure P-8) and also for exemption from filing certified copies thereof.

Notice in the application.

On the asking of this Court, Mr. H.S.Sitta, AAG, Punjab accepts notice on behalf of respondent-State and states that he has no objection if the application is allowed.

For the reasons mentioned in the application, the same is allowed as prayed for. Annexures P-7 and P-8 are taken on record.

CRM-M No. 48938 of 2018

Prayer in this petition is for grant of anticipatory bail in case FIR No. 172 dated 24.09.2018 registered under Section 408 IPC added vide rapat No. 24 dated 22.03.2020 & Section 406 IPC deleted at Police Station Guru Harsahai, District Ferozepur.

Vide order dated 02.11.2018, passed by a co-ordinate Bench of this Court, *ad interim* anticipatory bail was granted to the petitioner. However, subsequently, offence under Section 408 IPC added & Offence under Section 406 IPC deleted vide rapat No. 24 dated 22.03.2020. The allegations are that the petitioner being the President of the Society has embezzled the stocks of the society. The complainant in the present case is Gagandeep Singh-Secretary of the society.

Learned counsel for the petitioner placed on record the copy of the order/Award dated 04.08.2020 passed by Deputy Registrar Cooperative Societies (Annexure P-7) pointing therein that it is Gagandeep Singh-Secretary of the society who has been found to embezzled the amount of the society and the Arbitrator i.e the Deputy Registrar of Co-operative Society has directed the second party-Gagandeep Singh-Secretary of the society to deposit Rs. 23,92,960/- actual amount and interest as per rules till date and cost of Rs. 250/-.

It has further stated that the petitioner has been falsely involved in the present case and in compliance of the orders dated 02.11.2018 and 26.03.2021, the petitioner has joined the investigation.

Learned State counsel submits that in compliance of the order dated 26.03.2021 passed by this Court, the petitioner has joined the investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the orders dated 02.11.2018 and 26.03.2021 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

13.09.2021

Rajeev (rvs)

(HARNARESH SINGH GILL)**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No