

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

204

**CRM-M-23783-2020
Date of decision: 13.01.2021**

Jastej Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Dinesh Trehan, Advocate
for the petitioner.

Mr. Rana Harjasdeep, DAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J. (ORAL)

(The case has been taken up for hearing through video conferencing.)

The present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in FIR No.12 dated 16.09.2017 under Sections 409, 420, 467, 468, 471, 120-B IPC read with Section 13 (1) (d) and 13 (2) of the Prevention of Corruption Act, 1988, registered at Police Station Economic Offences Ludhiana, District Ludhiana.

While issuing notice of motion on 21.08.2020, Co-ordinate Bench of this Court had granted interim anticipatory bail to the petitioner with direction to join the investigation.

The petition has been opposed by the learned State Counsel. However, no reply has been filed by the respondent-State.

I have heard learned Counsel for the petitioner and learned State Counsel and have gone through the record.

Learned counsel for the petitioner submits that the allegations in the FIR are that Lal Singh in collusion with the Clerk Pritpal Singh and the then Deputy Manager Rajender Kumar working in PUNSUP, forged and fabricated documents so that Lal Singh gets compassionate appointment by treating him as son of Pritam Singh, after the said Pritam Singh died while in service. Learned counsel for the petitioner further submits that the petitioner has not received any benefit rather the benefit has been taken by Lal Singh son of Gurdial Singh and the affidavits, which are purported to have been submitted by the petitioner, are also forged by Lal Singh.

Learned State Counsel has vehemently opposed the petition and submitted that in view of gravity of accusation, the petitioner does not deserve grant of anticipatory bail. Therefore, the petition may be dismissed.

However, learned State Counsel has, on instructions from Inspector Manjit Singh, acknowledged that in compliance with order dated 21.08.2020 passed by Co-ordinate Bench of this Court, the petitioner has joined the investigation and that his custodial interrogation in the present case is not required for effecting any recovery.

In view of the facts and circumstances of the case, nature of accusation against the petitioner, the fact that custodial interrogation of the petitioner is not required in the case and there is no material to justify the apprehension of the petitioner fleeing from justice or tempering with evidence or criminally intimidating the prosecution witnesses but without expressing any opinion on the merits of the case,

I am of the considered view that the petitioner deserves the grant of anticipatory bail.

In view of the above, the petition is allowed and order dated 21.08.2020 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again if and as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him.

13.01.2021

Vishal

(ARUN KUMAR TYAGI)
JUDGE

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