

101-2

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-29631-2021

Date of decision: 02.11.2021

Manjeet Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. B.S. Sidhu, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. J.S. Gill, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

This petition is filed for grant of anticipatory bail in FIR No. 37, dated 13th April, 2021 under Sections 409, 201, 120-B IPC and Section 13(1)(a) of the Prevention of Corruption Act, 1988, registered at Police Station Arniwala, District Fazilka.

On 12th October, 2021, following order was passed:

“Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 0037 dated 13.04.2021, under Sections 409, 201, 120-B of IPC 1860 and Section 13 (1) (a) of PC Act, registered at Police Station Arniwala, District Fazilka.

The allegations in the FIR are made by the complainant an Ex- Panch against the petitioner, who was Panchayat Secretary that he in connivance with the Sarpanch-Jagdish Kumar had mis-appropriated the huge amount. There are allegations that signatures of other Panchayat members were forged in the register for withdrawal of amount. The whole amounts received on behalf of the Gram Panchayat were not deposited.

Learned counsel for the petitioner submits that the petitioner has no role in alleged embezzlement and he relies upon the fact that the co-accused the Sarpanch has been granted interim bail by this court today in CRM-M- 28304-2021.

Learned State counsel opposes the grant of anticipatory bail.

Mr. J.S. Gill, Advocate appears on behalf of the complainant though not pleaded as party and vehemently opposes the prayer for anticipatory bail.

Considering the facts and circumstances in totality and the order passed in CRM-M-28304-2021, the petitioner is granted interim bail subject to joining investigation within 15 days. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

List on 02.11.2021.

To be heard along with CRM-M-28304-2021.”

Reply dated 9th August, 2021 filed by the State is taken on record.

Though one of the issue raised is that record with the

petitioner has not been produced as DDR was got reported with regard to missing record.

Learned State counsel, on instructions, submits that petitioner be directed to join the investigation as and when called for.

As no custodial interrogation is needed, the interim bail granted on 12th October, 2021 is made absolute. The petitioner will join the investigation as and when called for.

Disposed of accordingly.

[AVNEESH JHINGAN]
JUDGE

2nd November, 2021
pankaj baweja

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |