

**CRM-M-495-2022
Date of decision-16.05.2022**

Pritpal Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Sandeep Singh Deol, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.121 dated 15.11.2021 under Section 409 of Indian Penal Code, 1860 registered at Police Station Kalanaur, District Gurdaspur, who apprehends his arrest at the hands of Police.

On 10.01.2022, this Court had passed the following order:-

“Learned counsel has argued that the petitioner being secretary of Meer Kachana Multipurpose Co-operative Society, has been falsely implicated for the alleged offence punishable under Section 409 IPC. He submits that there is no embezzlement on the part of the petitioner, as the stock in question was disposed off by the petitioner pursuant to the decision dated 08.10.2021

(Annexure P-1), as certain articles including medicines were going to expire in the near future. He has further drawn the attention of the Court to the statements regarding sale and deposit of amount in the account of the society. According to him, in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 16.05.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Suwinder Pal Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 10.01.2022 is made absolute.

(MANOJ BAJAJ)
JUDGE

16.05.2022

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No