

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-11759-2020 (O&M)

Date of decision: 12.05.2022

Shashi Rai

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Salil Dev Singh Bali, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. N. K. Bansal, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 34 dated 26.02.2020 registered under Sections 420, 465, 468, 471 and 120-B IPC, at Police Station Bhogpur, District Jalandhar Rural.

The operative part of the order dated 19.03.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner states that the petitioner was one time Managing Director of the company along with other 5 Directors. Later on, new Directors including Pankaj Bansal was inducted and took over the control of the company as Managing Director on 07.08.2017. Thereafter, three compromises were effected between the parties and last two compromises were executed on 23.01.2018 (Annexure P-6 and P-7). Earlier a resolution dated 21.07.2017 (Annexure P-4) was passed by the Board of Directors, vide which the petitioner being Director of the company was authorised to sign and

execute all documents on behalf of the company and accordingly a sale deed was executed on 28.07.2017 (Annexure P-5) from Manjit Rai (one of the Director and husband of the petitioner) in the name of the company. Thereafter, other sale deed dated 15.05.2018 (Annexure P-8) was executed by the company through Shubham and Ankit Bansal (brothers of the complainant Pankaj Bansal) in the name of Pankaj Bansal. He further states that the sale deed executed by the company in favour of the complainant on 15.05.2018 (Annexure P-8) indicates the same Khasra numbers which is alleged to have not been owned by the husband of the petitioner i.e. Manjit Rai. The sale deed dated 15.05.2018 (Annexure P-8) has been concealed in the complaint.

Notice of motion for 16.07.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 19.03.2020, has already appeared joined the investigation and there is no allegation that in the intervening period, the petitioner has ever misused the concession of interim bail.

Learned counsel for the State, on instructions SI Paramjeet Singh, has not disputed the factual position and submits that on 11.05.2022, a cancellation report has been prepared and the same will be presented before the Court within a period of two months from today.

In view of the above, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 19.03.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

12.05.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*