

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212)

CRM-M-15899 of 2022

Date of Decision:12.09.2022

Jagminder Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Kapil Kakkar, Advocate,
for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab

JASGURPREET SINGH PURI, J. (Oral)

This second petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.0052 dated 28.03.2022, under Sections 420, 465, 467, 468 and 471 of the IPC, registered at Police Station Lehra, District Sangrur.

It has been submitted by the learned counsel for the petitioner that the petitioner was granted interim bail by this Court on 20.04.2022 subject to his joining the investigation. He submitted that in pursuance of the aforesaid order, he has already joined the investigation and is fully cooperating with the investigation process and has prayed that the aforesaid order may be confirmed.

On the other hand, Mr. Amit Rana, learned Senior DAG, Punjab has

submitted from instructions from ASI Kala Singh, that it is correct that in pursuance of the aforesaid order, the petitioner has already joined the investigation. He has however opposed the bail on the ground that the petitioner is not cooperating with the investigation process.

On a specific query being raised to the learned State counsel as to in what manner the petitioner has not cooperated with the investigation process, he submitted that it is the case where the petitioner more than 12 years ago had joined the Education Department by using a fake appointment letter which he has not got recovered and therefore he has not cooperated with the investigation process.

In rebut, the learned counsel for the petitioner has stated that such kind of objection raised by the learned State counsel is not only strange but is also misconceived. He submitted that it is the case where allegedly the petitioner has joined the Government department on the basis of a fake appointment letter but the entire record is supposed to be with the department itself and therefore such kind of objection was not maintainable.

I have heard the learned counsel for the parties.

The petitioner in pursuance of the aforesaid order has already joined investigation as per the learned counsel for the parties. So far as the objection raised by the learned State counsel that the petitioner did not give the appointment letter which he used to 12 years ago is unsustainable in view of the fact that the petitioner had joined the Government department about 12 years ago wherein as per learned counsel for the petitioner, he has already filed a Civil Writ Petition No. 16286 of 2021 in which notice of motion was issued and the concerned Secretary of the department was summoned by this Court and as a counter blast the present

FIR was got lodged. Therefore, this Court is of the view that the objection raised by the learned State counsel is not sustainable.

Consequently, the present petition is allowed and the aforesaid order dated 20.04.2022 is hereby confirmed.

However, anything observed hereinabove shall not be treated as an expresion of opinion on merits of the case and is only meant for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

September 12, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No