

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

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**CRM-M-27006 of 2022
Date of Decision: 14.11.2022**

Bhupinder Singh @ Sant Bhupinder Singh

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Aakash Singla, Advocate,
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab

JASGURPREET SINGH PURI, J. (Oral)

The present 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.114 dated 29.07.2020, under Sections 420, 408 and 120-B IPC, registered at Police Station Payal, District Khanna.

It has been submitted by the learned counsel for the petitioner that petitioner is an old man of 74 years of age and he has spent his whole life for the betterment of the society and also has deep inclination towards religious teachings. He has submitted that an institution was running a school which was being managed by him as a Chairman till the year 2017 and thereafter the complainant who was one of his disciples had filed a complaint with regard to embezzlement of some amount of the school funds and apart from the present petitioner there are other co-accused as well in the present case. A SIT was constituted on the direction of this Court which found that the petitioner and

other persons had violated the rules and the petitioner rather fully cooperated with the aforesaid SIT and gave all the documents and the information which were available with him. Learned counsel has further submitted that prior to that in the present subject matter three different enquiries were conducted by the police at different levels and the petitioner was in fact exonerated in all the enquiries and it was only because of the malafide of the complainant that the petitioner who is an old man is now apprehending arrest at the hands of the police. He further pointed out that the other co-accused had filed anticipatory bail petition before this Court and the same were dismissed by this Court but they approached the Hon'ble Supreme Court in which they have been granted interim bail and the said interim bail is still in operation. He further submitted that earlier the petitioner filed a petition for directions for reinvestigation of the case but the same was disposed of. Learned counsel has further submitted that the entire subject matter of the dispute is a financial dispute which was raised by the complainant and is based upon documentary evidence. He further submitted that be that as it may, the petitioner was granted interim bail by this Court on 08.07.2022 and in pursuance of the aforesaid order, he has already joined the investigation and he has fully cooperated with the investigation process.

On the other hand, Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab has stated, on instructions from ASI Gurpratap Singh, that it is correct that in pursuance of the order passed by this Court, the petitioner has already joined investigation and he has fully cooperated with the investigation process and he has further instructions to say that the petitioner is not required for his custodial interrogation.

I have heard the learned counsel for the parties.

The petitioner in pursuance of the order passed by this Court on 08.07.2022, has already joined investigation and as per the learned State counsel, he is not required for custodial interrogation.

In view of the aforesaid position, this Court deems it fit and proper to allow the present petition. Consequently, the petition stands allowed and the order dated 08.07.2022 is hereby made absolute.

(JASGURPREET SINGH PURI)
JUDGE

November 14, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No