

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

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CRM-M-36939-2022

Date of Decision: 14.11.2022

Raj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. P.S.Ahluwalia, Advocate,
for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Rajesh Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.21, dated 23.2.2021, Police Station City-I, Moga, District Moga, under Sections 381, 409, 465, 467, 468, 471, 120-B IPC.
2. At the time of issuance of notice of motion on 22.08.2022, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.21, dated 23.2.2021, Police Station City-I, Moga, District Moga, under Sections 381, 409, 465, 467, 468, 471, 120-B IPC.

The FIR was lodged at the instance of Pardeep Kumar, Assistant Labour Commissioner, Moga (successor of the petitioner) wherein it is alleged that 7 cheques from the official account of the Department which is in the name of Assistant Labour Commissioner had been mis-used out of which 4 were encashed and an amount of Rs.42 lakhs was withdrawn. It is the case of prosecution that one Rajwinder Singh, a Class-IV employee of the

Department had stolen these cheques and had allegedly forged the signatures of the signatory i.e. the petitioner and had got them encashed/credited in the account of his friends/family friends.

Learned counsel for the petitioner has submitted that there is nothing on record to show that the amount had been credited in any of his account or in any account of his friend/family friend and that it is a case where as per report of FSL his signatures had been forged. Learned counsel has submitted that he has been nominated as an accused after more than one year of lodging of the FIR on the premises that the bank authorities had made a telephone call in respect of clearance of one of the cheques and that despite having come to know about the said transaction, the petitioner did not take any action. Learned counsel has submitted that he had never received any such call. It has also been submitted that all other co-accused have already been granted bail.

Notice of motion for 14.11.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. This Court finds that all other co-accused have already been granted bail. Since the petitioner is also stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 22.08.2022 are hereby made absolute subject to the condition that the petitioner shall

join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

14.11.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**