

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(203)

CRM No. M-51042 of 2021

Date of Decision : 09.02.2022

Karan Behal

....Petitioner

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

**CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present:- Mr. L.M. Gulati, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

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**Harsimran Singh Sethi, J. (Oral)**

The petitioner is seeking anticipatory bail in FIR No. 265 dated 05.11.2021 registered under Sections 409 and 420 of the Indian Penal Code, 1860 at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner contends that in terms of order dated 07.12.2021 passed by this Court, the petitioner has joined the investigation. Order dated 07.12.2021 is as under:-

*“Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.265 dated 05.11.2021 registered under Sections 409 and 420 of the Indian Penal Code, 1860 at Police Station Sadar Amritsar, District Amritsar.*

*Learned counsel for the petitioner submits that the petitioner has wrongly been roped in the present case and the only allegation against the petitioner made by the complainant-employer i.e. the company where he was working, is that there were irregularities in the payment being made by the clients. Learned counsel for the petitioner further submits that prior to*

*the registration of an FIR, the petitioner was asked to associate with the enquiry wherein, the petitioner duly associated and explained his side and as nothing is to be recovered from the petitioner and the petitioner is ready to join the investigation and cooperate with the same, he may kindly be extended the benefit of anticipatory bail.*

*Notice of motion.*

*Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who is present in the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.*

*Learned counsel for the respondent-State submits that though the allegations against the petitioner are serious in nature of committing irregularities in financial matter but as per his instructions, nothing is to be recovered from him.*

*I have heard learned counsel for the parties and have gone through the record with their able assistance.*

*Once, nothing is to be recovered from the petitioner and the petitioner is ready to join the investigation and cooperate with the same and rather has been associating himself with the enquiry, which was being conducted by the Investigating Agency prior to the registration of an FIR, the petitioner has made out a case for the grant of anticipatory bail.*

*Petitioner is directed to join the investigation forthwith.*

*In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to his/her satisfaction subject to the following conditions:*

*i) That he shall make himself available for interrogation by the police officer as and when required.*

*(ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.*

*(iii) That he shall not leave India without prior*

*permission of the Court.*

*(iv) That he shall abide by all the conditions as enshrined under Section 438 (2) Cr.P.C.*

*Adjourned to 09.02.2022.*

*It is, however, made clear that after the petitioner join the investigation, in case any incriminating material comes against the petitioner, the respondent-State will be at liberty to file appropriate application seeking the custody of the petitioner in case, the same is needed.”*

Learned State counsel, who has joined the proceedings through video conference, on instructions from ASI Raj Kumar states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

In view of the above, the order dated 07.12.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

**February 09, 2022**  
*kanchan*

**( HARSIMRAN SINGH SETHI )**  
**JUDGE**

*Whether reasoned/speaking?* ☒ Yes/No

*Whether reportable?* ☒ Yes/No