

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

**CRM-M-30720-2023 (O&M)
Date of decision : 16.08.2023**

Mohinder Singh @ Mahinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.52 dated 01.06.2023, under Sections 420, 465, 467, 468 & 471 of the Indian Penal Code, 1860, registered at Police Station Sekhwan, Police District Batala, District Gurdaspur.

(2) Above FIR was registered on the basis of statement made by complainant-Yadwinder Singh with the allegations that petitioner, being Sarpanch of his Village, withdrew an amount of Rs.3.5 Lakh from the

Account of Panchayat against the instructions of the Government as well as by forging the signatures of Panchayat Secretary & BDPO concerned.

(3) This Court, vide order dated 16.06.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that petitioner is aged about 80 years.

Notice of motion.

Ms. Monika Jalota, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted on 07.08.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

(4) Learned counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Charanjeet Singh, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 16.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) Disposed off accordingly.

August 16th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No