

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:144572
CRM-M-31918-2023

Date of Decision: November 15, 2023

Sukhwant Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Arora, Advocate for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 14.07.2023, the following order was passed by this
Court:-

“By way of this petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.0233 dated 30.05.2023 registered under Sections 420, 120-B IPC at Police Station Goindwal Sahib, District Tarn Taran.

FIR was lodged on the complaint of Hardev Singh, as per which, he had taken loan of ₹1 lac in 2016 from Tarn Taran Cooperative Bank, Branch Kang, District Tarn Taran. At that time, Kulwinder Singh was posted as Manager, who had taken two photocopies of his Aadhar Card. According to the complainant, he had paid the entire loan amount along with interest in the year 2020. However, in 2021, he received two notices, one regarding amount of ₹1,50,000/- and the another regarding amount of ₹4 lacs shown pending against him. On inquiry, he came to know that the previous Manager Kulwinder Singh along with Sukhwant Singh (petitioner) in connivance with each other by forging the certificate and by showing the complainant as a School Master and by affixing his photograph and copy of Aadhar Card had got passed loan amounting to ₹4 lacs in his name and misappropriated the same. As per complainant, he had retired in the year 2013 from Police Department and was never posted as a School Teacher.

It is contended by learned counsel for the petitioner that he was a suspended Clerk at the relevant time and had nothing to do with the advancement of the loan. Learned counsel further submits that petitioner is not even the guarantor of the loan transaction and the

entire dispute is between the Bank and the complainant. It is further submitted that petitioner is ready to join the investigation.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Learned State Counsel submits that petitioner was accompanying the principal accused at the relevant time of advancing the loan to the petitioner on the forged documents.

Adjourned to 27.09.2023.

Let status report be filed by the respondent- State on or before the date fixed.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today, on instructions from ASI Gurwinder Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 14.07.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 14.07.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

November 15, 2023

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No