

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-34395-2023 (O&M)
Date of decision: November 15, 2023

Mukul Setia
.....Petitioner
versus
State of Punjab
.....Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. R.K. Girdhar, Advocate for the petitioner.
Ms. Kanica Sachdeva, AAG Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C., in case FIR No.109 dated 02.05.2023, under Sections 420, 447, 511, 120-B of the Indian Penal Code, 1860, registered at Police Station Civil Lines, Bathinda.

2. On the last date of hearing, i.e., on 19.07.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter alia contends that the petitioner is an Architect and he had merely prepared the drawings of the house of co-accused Paramjit Kaur and others, who got sanctioned the site plan on the basis of forged documents. Learned counsel submits that the petitioner could not have visualized much less have known that ownership of the plot in question had been obtained by the co-accused Paramjit Kaur etc. on the basis of certain forged documents. It has also been submitted that the petitioner has clean antecedents and is not involved in any other criminal case. Learned counsel further submits that the petitioner is ready and willing to join the investigation and will cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 19.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She,

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on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 19.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

November 15, 2023
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No