

Neutral Citation No.2023:PHHC: 163359
IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
CRM-M-51841 of 2023 (O&M)
Date of decision : 19.12.2023

Anoop Singh

...

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Deepak Gupta, Advocate for the petitioner.
Mr. Sandeep Kumar, Deputy Advocate General, Punjab

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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. 123 dated 23.8.2014, under Sections 408/420/467/468/471/34 of the Indian Penal Code, 1860,(Sections 409/120-B IPC added later on) registered at Police Station Majitha, District Amritsar.

2. Vide order dated 12.10.2023, the petitioner had been directed to appear before the trial Court and was directed to be admitted on interim bail on his furnishing bail bonds to the satisfaction of the trial Court. The relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner was a Clerk in the Bank. He submits that the petitioner had been enlarged on regular bail vide order dated 20.06.2015 (Annexure P-2), however, as recently as on 15.03.2021, offences under Sections 409 and 120-B of the IPC have

been added in the FIR in question. Therefore, there is a genuine apprehension on his part that he could be arrested and sent to custody when he will appear before the trial Court. He submits that the investigation is complete as challan also stands presented, coupled with the fact that the petitioner has not misused the concession of regular bail, which had been granted to him by the trial Court, he be extended the extraordinary concession of anticipatory bail.”

3. Learned counsel for the petitioner submits that in compliance of order dated 12.10.2023, the petitioner had appeared before the trial Court and furnished bail bonds. In support, he has placed on record copy of order dated 18.10.2023 passed by Judicial Magistrate Ist Class, Amritsar.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having appeared before the trial Court.

5. In view of the above, the petition is allowed and interim order dated 12.10.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him

(MANJARI NEHRU KAUL)
JUDGE

19.12.2023
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Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No