

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

201

2023:PHHC:131965

CRM-M-54812-2022

Date of decision: October 11th, 2023

Ganesh Prasad Gupta

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Abnash Singh, Advocate
for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.08 dated 11.01.2017 under Sections 465/466/467/468/471/409 of the IPC (Sections 420 and 120 B of the IPC added later on) registered at Police Station Phase 1, Mohali.

Vide order dated 26.07.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia submits that the petitioner, who is a contractual government employee, has been falsely implicated in the case in hand. He submits that the petitioner was neither the beneficiary of the amount deposited by the complainant in the government account of the corporation nor was he solely handling the case file of Plot No.C-136, Eltop Area, Phase 8, Industrial Area, Mohali. He submits that vide order dated 29.11.2022, this Court had directed no coercive steps against the petitioner, however, since a notice under

Section 41A of the Cr.P.C. was served upon him, the petitioner had appeared before the investigating agency.”

Learned counsel for the petitioner submits that in compliance of order dated 26.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Bushan Kumar, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 26.07.2023 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.

October 11th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No