

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

CRM-M No.56764 of 2022 (O&M)

Date of decision: 3rd May, 2023

Anshuman Kalia

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Tanu Bedi and Ms. Ashra Singh, Advocates
for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.204 dated 03.08.2022 under Sections 409, 120-B IPC (Section 420 IPC added later on) registered at Police Station Division No.8, Police Commissionerate Jalandhar.

Vide order dated 22.12.2022, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner has submitted that in fact it was a case where a specific resolution was passed by the Society which is so attached with the paper-book at page No. 115 and is a part of Annexure P-8 wherein a specific authorisation was given to the petitioner for using the amount for the purpose of construction. She has submitted that even if some amount has been transferred in the name of the petitioner, would not raise

any inference or any assumption that it was being embezzled whereas it was for the purpose of either reimbursement or in advance payment for the purpose of construction. She further submitted that be that as it may, the petitioner is ready and willing to join investigation and shall also cooperate with the investigation process in all respects since the entire evidence is based upon documentary evidence.”

Learned counsel for the petitioner submits that in compliance of the order dated 22.12.2022, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, 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 the circumstances, the petition is allowed and the interim order dated 22.12.2022 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

May 3, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No