

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.422 of 2024
Date of decision: 20th February, 2024

Mohinder Singh
... Petitioner

Versus

State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ankit Kharbanda, Advocate for the petitioner.
Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.123 dated 23.08.2014 under Sections 408, 409, 420, 467, 468, 471, 34 and 120-B of the Indian Penal Code, 1860 (Sections 409 and 120-B IPC were added later on) registered at Police Station Majitha, Amritsar Rural.
2. On the last date of hearing, i.e. 08.01.2024, while noticing the following submissions made by 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 has been falsely implicated in the case in hand and all the allegations are against co-

accused Satnam Singh, who was Secretary of the Cooperative Society. It has been further submitted that no doubt his earlier petition under Section 438 of the Cr.P.C. was dismissed on 09.03.2015 (Annexure P-2), however, subsequently he was extended the concession of default bail under Section 167 (2) of the Cr.P.C. on 22.06.2015, which concession had never been misused by him. However, after nine years when the challan was presented on 26.05.2023, it came to the knowledge of the petitioner that offence under Sections 409 and 120-B of the IPC had also been added. Learned counsel submits that similarly situated co-accused Anoop Singh had already been extended the concession of anticipatory bail by this Court on 19.12.2023.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 08.01.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel has filed short reply by way of an affidavit of Jaspal Singh PPS, DSP Sub Division Majitha, today in the Court, which is taken on record subject to all just exceptions and a copy thereof supplied to learned counsel opposite. He, on instructions from ASI Bikramjeet Singh, 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.

5. In the circumstances, the petition is allowed and the interim order dated 08.01.2024 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

February 20, 2024
rps

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