



CRM-M-7433-2024 (1)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

[205-5]

CRM-M-7433-2024
Date of decision: 02.09.2024

MANISH @ MUNISH MALHOTRAPETITIONER

Versus

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Komalpreet Kaur, Advocate for
Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.2 dated 05.01.2024 under Sections 420, 409 (Sections 465, 466, 467, 468, 471 and 120-B added later on) of the Indian Penal Code, 1860, registered at Police Station Division No.5, Ludhiana.

2. Vide order dated 15.02.2024 passed by this Court while issuing notice of motion, the following submissions made by the learned counsel for the petitioner were recorded.

“Learned counsel inter alia contends that the alleged embezzlement took place before the petitioner joined the Municipal Corporation as a Clerk on 16.05.2022 on compassionate grounds pursuant to the death of his father; hence, he had no role to play in the alleged embezzlement.”

3. Thereafter, vide order dated 21.05.2024, the petitioner was granted the concession of interim bail and asked him to join investigation.



4. Learned counsel for the petitioner has submitted that the petitioner, in compliance of order dated 21.05.2024, has joined the investigation and cooperated with the investigating agency.
5. Learned State counsel, on instructions from ASI Balvir Singh, has not disputed the submission made by the counsel opposite. He, on further instructions, submits that the petitioner is not required for custodial interrogation.
6. In view of the above, present petition is allowed and interim order dated 21.05.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC./482(2) of BNSS, 2023.
7. Needless to add, in case the petitioner misuses the concession of bail granted to him the State would be at liberty to seek cancellation of the same.

September 02, 2024
Anjal*

(MANJARI NEHRU KAUL)
JUDGE

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