



CRM-M-8573-2024

(1)

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

[206]**CRM-M-8573-2024****Date of decision: 02.09.2024**

HEM RAJ

.....PETITIONER

Versus

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S. Saron, Advocate and
Mr. M.B. Rajwade, 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, Police Commissionerate Ludhiana.

2. On the last date of hearing i.e. on 21.05.2024 while noticing the following submissions made by the 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 submits that it is a matter of record that on the date when the fake vouchers were allegedly generated by the co-accused, he was not posted in M.C., Ludhiana, as at that particular time, he was posted at Phagwara; he was posted back in M.C., Ludhiana, only in July 2022 i.e. After the alleged vouchers had been fabricated by the co-accused. He also submits that not a single bank transaction had been routed to the petitioner.”



3. 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.
4. 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.
5. 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.
6. 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