

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-15502-2024
Date of decision: 16.04.2024

DR. BHUPINDER PAL SINGH KHANGURAPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.
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SANJIV BERRY, J. (ORAL)

Reply dated 16.04.2024 in the form of an affidavit of Assistant Commissioner of Police, Ludhiana (South) has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
161	11.08.2023	420 IPC	Sadar Ludhiana, District Commissionerate Ludhiana

3. Learned counsel for the petitioner submits that in compliance to the order dated 01.04.2024, the petitioner has joined the investigation.

4. During the course of hearing on 01.04.2024, following order had been passed: -

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case on account of bona fide mistake on his part in withdrawing the amount from the account pertaining to his deceased father which happens to be the pension account. He contends that the petitioner as well as his sister living abroad had been operating the account and even the sister used to deposit the amount in the said account not being aware of the fact that it was a pension account and intimation had to be given qua closure thereof to the Bank.

3. Learned counsel for the petitioner further contends that the amount withdrawn from the account has since been deposited by the petitioner which is also evident from letter dated 18.03.2024 (Annexure P-3) issued by State Bank of India. He contends that the petitioner is a doctor having no criminal antecedents except a case arising out of the matrimonial dispute. He further contends that the petitioner is ready to join investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Harpreet Singh, Addl. AG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from ASI Kulbir Singh, does not dispute the factual matrix of the case and the fact that allegation qua the petitioner is regarding withdrawal of the amount from the pension account of the deceased father which he had re-deposited vide Annexure P-3 (supra). He prays for time to file the status report/reply in the matter.

6. Adjourned to 16.04.2024.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite.

8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

5. Learned State counsel on instructions from ASI Kulbir informs the Court that the petitioner has joined the investigation and is

neither required for further investigation nor for any custodial interrogation.

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 01.04.2024 passed by this Court, interim bail granted vide order dated 01.04.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16.04.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |