



CRM-M-26437-2024

238

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-26437-2024  
Decided on: 24.07.2024

Gursharan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vikas Cuccria, Advocate and  
Mr. Ramandeep Kaur, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

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ANOOP CHITKARA, J.

| FIR No. | Dated      | Police Station   | Sections                                                                                   |
|---------|------------|------------------|--------------------------------------------------------------------------------------------|
| 410     | 28.10.2020 | Zirakpur, Punjab | 420, 421, 466, 467, 468, 471, 167, 120-B IPC; 12 of Passport Act and 7, 8, 13(2) of PC Act |

1. The petitioner, incarcerated upon his arrest in the FIR captioned above, had come up before this Court under Section 439 CrPC seeking regular bail.
2. On 10.07.2024, this Court granted interim bail to the petitioner and one of the reason for granting bail was that the petitioner had voluntarily agreed to declare his assets, which was mentioned in para 15 of the bail order.
3. Petitioner’s counsel submits that petitioner is in custody in some other case and he undertakes to comply with the condition mentioned at para 15 of the order dated 10.07.2024, within 15 days when he will be released from jail. He further submits that they shall not claim such declaration as self incrimination, violation of Article 20/21 of Constitution of India or any other fundamental right/law. It is also submitted that if the petitioner fails to comply with this undertaking, State may be permitted to file application for cancellation of bail.
4. Given the above statement, petitioner is directed to handover affidavit to the investigator by declaring assets in compliance to the condition mentioned at para 15 of the order dated 10.07.2024, within 15 days after release from jail. The investigator may verify such assets if required and proceed in accordance with law, if any anomalies

CRM-M-26437-2024

found. The concerned investigator is further directed to forward one original copy of the affidavit to the petitioner’s employer within two weeks from filing of affidavit. It is clarified that if the petitioner fails to comply with the above said order, State shall file application for cancellation of bail.

5. Facts of the case have already been mentioned in detail in the order dated 10.07.2024.

6. I have gone through the record and heard counsel for the parties at length.

7. Given the facts and circumstances peculiar to the case coupled with the fact that petitioner had voluntarily agreed to declare assets and nature of allegations and also the period of custody which is approximately 4 months, there would be no justification for further pre-trial incarceration.

**Petition is allowed.** Interim order dated 10.07.2024, is made absolute. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)  
JUDGE

24.07.2024  
anju rani

Whether speaking/reasoned: Yes  
Whether reportable: No.