

CRM-M-28152-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28152-2024
Decided on: 19.07.2024

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

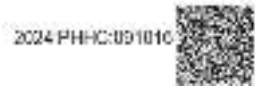
Present: Mr. Vipul joshi, Advocate and
Mr. Piyush Kumar, Advocate for the petitioner.

Mr. Anurag Chopra, Addl. AG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
4	08.03.2024	Vigilance Bureau, Flying Squad-1, Punjab at Mohali, District SAS Nagar (Mohali), Punjab	13(1)(a) r/w 13(2) of PC Act 1988 and Sections 409, 420, 465, 467, 468, 471 & 120B IPC

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 14.06.2024, Coordinate Bench of this Court had granted interim bail to the petitioner, which is continuing till date. Thereafter on 16.07.2024, petitioner requested to extend the interim order and voluntarily made statement that he is ready to declare his assets. On this ground, interim was extended and petitioner was given time to declare his assets as well his spouse by way of affidavit.
3. Petitioner’s counsel submits that they had handed over the affidavits to the Investigator and voluntarily complied with the order of declaring assets and it is submitted that they would not claim such declaration as self incrimination, violation of Article 20/21 of Constitution of India, Bharatiya Sakshaya Adhiniyam 2023 or any other law in force. The investigator may verify such assets if required and proceed in accordance with law, if any anomalies found. The concerned investigator is further directed to forward one original copy of the affidavit to the petitioner’s employer within two weeks from today. He further submits that further pre-trial incarceration would cause an irreparable injustice to the petitioner and family.



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4. The State’s counsel does not dispute the contention made by counsel for the petitioner, however opposes the bail.

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

6. Given the facts and circumstances peculiar to the case coupled with the fact that petitioner had voluntarily declared assets and considering the amount involved, nature of allegations, there would be no justification for pre-trial incarceration.

Petition is allowed. Interim order dated 14.06.2024, is made absolute, subject to the condition that petitioner shall join investigation as and when called upon do so. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

19.07.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.