

CRM-M-29476-2024

299 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-29476-2024
Decided on: 10.07.2024

Mukh Munshi Sukhwinder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

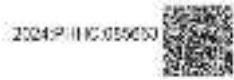
Present: Mr. S.P.S. Sidhu, Advocate for the petitioner.

Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
07	13.03.2024	Vigilance Bureau, Bathinda, District Bathinda	7 of PC (Amendment) Act 2018

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 03.07.2024, 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 and his wife’s assets, which was mentioned in para 18 of the bail order.
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 shall not claim such declaration as self incrimination, violation of Article 20/21 of Constitution of India or any other fundamental right/law. 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.
4. The State’s counsel does not dispute the contention made by counsel for the petitioner, but submits that on the affidavit handed over by the petitioner, all pages are not signed. At this, petitioner’s counsel submits that he would not raise any objection



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for non-signing of all the pages. State counsel on instructions further submits that petitioner be directed to give voice samples as and when called upon to do so.

5. Facts of the case have already been mentioned in detail in the order dated 03.07.2024.

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 declared assets and considering the amount involved, 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 03.07.2024, is made absolute, subject to the condition that petitioner shall give voice samples as and when called upon to do so. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

10.07.2024
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Whether speaking/reasoned:	Yes
Whether reportable:	No.