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

CRM-M-30966-2024

Decided on: 19.07.2024

Mukul Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ayush Sarna, Advocate for the petitioner.

Mr. Sukhdev Singh, AAG, Punjab.

* * * *

ANOOP CHITKARA, J.

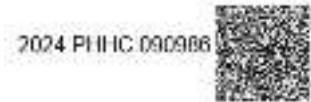
FIR No.	Dated	Police Station	Sections
75	30.05.2023	Sardulgarh	420, 467, 468, 471 IPC

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 12.07.2024, 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 petitioner could not comply with the condition mentioned at para 18 of the order dated 12.07.2024, for the reason that petitioner is in custody in some other case. However, he voluntarily submits that petitioner's spouse will declare the assets on his behalf, within a week from today. Counsel further submits that petitioner would not claim such declaration as self incrimination, violation of Article 20/21 of Constitution of India, Bharatiya Sakshaya Adhinyam 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. After getting such affidavit, the concerned investigator is further directed to forward one original copy of the affidavit to the petitioner's employer within two weeks from that day. 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, however opposes the bail.



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5. Facts of the case have already been mentioned in detail in the order dated 12.07.2024.

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 considering the amount involved, nature of allegations and also the period of custody which is approximately 5 months, there would be no justification for further pre-trial incarceration.

Petition is allowed. Interim order dated 12.07.2024, is made absolute, subject to the condition that petitioner shall comply with the undertaking mentioned in para 3 of this order, within one week. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

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