



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211-4

CRM-M-33056-2024

Date of decision: 25.11.2024

Sarabraj Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr.Navjot Singh, Advocate, for the petitioner.

Mr. Anurag Chopra, Additional Advocate General, Punjab
assisted by Jatinder Singh, DSP, VB Unit, Kapurthala.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.09 dated 22.05.2024 under Sections 420, 406, 409, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Vigilance Bureau Jalandhar, Punjab.
2. Vide order dated 10.09.2024, the petitioner had been granted interim anticipatory bail and asked to join the investigation.
3. As per the submissions made by learned counsel for the petitioner, the petitioner was appointed as an Executive Engineer only in the year 2018, by which time a significant portion of the construction work had already been completed, and the project was thereafter fully finished by July, 2019. Furthermore, the petitioner was neither a party to the agreement executed between the contractor and the Foundation nor had any authority or control over the funds/finances of the

Foundation.

4. Learned counsel for the petitioner submits that in compliance of order dated 10.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation. However, learned State counsel submits that since a Special Investigation Team (SIT) has been constituted, the petitioners be directed to join the investigation in case summoned by the SIT.

6. In view of the above, the present petition is allowed and interim order dated 10.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS. In case and whenever, petitioner is called for joining the investigation by the Special Investigation Team, he will join the investigation and co-operate with the Special Investigation Team.

25.11.2024
anil

(MANJARI NEHRU KAUL)
JUDGE

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