

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.44063 of 2023
Date of decision: 28th February, 2024

Kishan Singh
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rishu Mahajan, Advocate for the petitioner.
Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.123 dated 23.08.2014 for the offences under Sections 408, 420, 467, 468, 471, 34 IPC (Sections 409/120-B IPC added later on vide DDR No.39 dated 15.03.2021) registered at Police Station Majitha, District Amritsar.
2. On 04.09.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to appear and surrender before the learned trial Court.

“Learned counsel, inter alia contends that vide order dated 14.10.2014, a Coordinate Bench of this Court had granted interim bail to the petitioner. The relevant part of the aforesaid order is reproduced as under:

“Learned counsel for the petitioner contends that petitioner had served as Branch Manger in Amritsar Central Cooperative Bank Ltd., Amritsar from 1999 to May 31, 2009 and retired from service on attaining the age of superannuation on May 31, 2009. It has further been contended that no fraud or embezzlement had ever been committed by the petitioner during the period of his service. Moreover, instant case has been registered after about 5 years of his retirement and that too, without getting any inquiry conducted and associated the petitioner.”

Thereafter, vide order dated 19.01.2015, the interim bail had been made absolute. However, when the challan was presented, offences under Sections 409, 120-B IPC were added vide DDR No.39 dated 13.03.2021, i.e. after 9 years.

Learned counsel submits that it is, thus, in the above background, the instant petition under Section 438 Cr.P.C. has been filed by the petitioner.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 04.09.2023, the petitioner has appeared and surrendered before the trial Court, and has been granted the concession of regular bail by the learned trial Court. In support, he has placed on record copy of the order dated 08.12.2023 passed by the learned Judicial Magistrate 1st Class, Amritsar.

4. Learned State counsel, on instructions, does not dispute the submissions made by the counsel opposite.

5. In the circumstances, the petition is allowed and the interim order dated 04.09.2023 is made absolute.

(MANJARI NEHRU KAUL)
JUDGE

February 28, 2024
rps

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