

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214-2

CRM-M-45711-2023

Date of decision: 09.01.2024

Gaurav Arora

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sunil Chadha, Sr. Advocate with
Mr. Akshay Chadha, Advocate,
Ms. Sonia Monga, Advocate and
Mr. Raghav Chadha, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

Mr. D.K. Singal, Advocate
for the complainant.

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.121 dated 14.06.2023 under Sections 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Ajnala, District Amritsar Rural.

2. On 14.09.2023, learned senior counsel for the petitioner had made the following submissions:-

“Learned senior counsel for the petitioner inter alia contends that the prime duty to sanction gold loan was with the co-accused, who at that time was the Branch Operations Head. It has been further submitted that no document was on record from which the complicity of the petitioner who admittedly was the Branch Manager at the relevant time could be discerned.”

3. Thereafter, on 12.10.2023, while noticing the following submissions made by learned State counsel, the petitioner was granted

interim bail and had been asked to join investigation:-

“Learned State counsel has submitted, on instructions, that the petitioner was the Manager of the Bank. He submits that though a valuer had been engaged by the Bank to assess the gold against which the people obtained loan, however, being the Bank Manager, he was also morally responsible for monitoring the operations of the Branch where he was posted.”

4. Learned senior counsel for the petitioner submits that in compliance of order dated 12.10.2023, 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.

6. In view of the above, the petition is allowed and interim order dated 12.10.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.01.2024

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(MANJARI NEHRU KAUL)
JUDGE

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