



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-46599-2024

Date of decision: 12.12.2024

Munish Kumar Vashist

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Anmolpreet Kaur, Advocate for
Mr. H.S. Oberoi, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') in case FIR No.17 dated 08.12.2023 under Sections 420, 465, 466, 468, 471, 120-B of the IPC (Section 13(2) of the P.C. Act, 1988 and Sections 409, 467 of the IPC added later) registered at Police Station E.O. Wing/Vigilance Bureau, Ludhiana.

2. On 25.09.2024, while noticing the following submissions made by the learned counsel for the parties, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner has reiterated that the prime accused in the instant case, who allegedly prepared the fake certificates on the basis of which petitioner and other accused managed to get admissions in various colleges including Pharmacy Colleges, has since been extended the concession of bail by a Coordinate



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Bench of this Court. Learned counsel for the petitioner has further submitted that in the circumstances, once the prime accused had been enlarged on bail, the role of the petitioner, which was much more trivial in comparison, also deserves the similar relief.

Learned State counsel has not been able to controvert the submissions made by learned counsel for the petitioner qua the prime accused in the FIR in question of having been enlarged on bail; it has also not been disputed that as many as 29 identically placed co-accused have already been extended the concession of bail either by the Coordinate Bench of this Court or by the Trial Court.

On a pointed query put to the learned State counsel as to whether any challenge had been made to the orders granting the concession of bail to the other co-accused, he, on instructions, has replied in the negative.”

3. Learned counsel for the petitioner submits that in compliance of order dated 25.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Akshay Kumar, 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.

5. In view of the above, the petition is allowed and interim order dated 25.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS.

12.12.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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