

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-64130-2023
Date of Decision:05.04.2024

RAVINDER KUMAR TIWARIPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Narula, Advocate and
Mr. Gurinder Singh Dhillon, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Harwinder Singh.

Mr. Sandeep K. Sharma, Advocate and
Mr. Arjun Singh, Advocate
for the complainant.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition is for grant of anticipatory bail under
Section 438 Cr.P.C in case FIR No.185 dated 02.11.2023 registered under
Sections 406, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police
Station City Khanna, Police District Khanna, District Ludhiana (Punjab).

On 28.02.2024, following order was passed:

*“Separate status reports in both the cases have been
filed.*

*FIR was lodged on the basis of inquiry conducted on the
complaint of Jagar Mal. The firm, namely, Dev Raj and Company,
Khanna, was having four partners, namely, Jagar Mal, Mohit Kumar,
Amit Bansal and Manu Garg. The Firm was being looked after by
Amit Bansal. It is alleged that by forging the partnership deed and the
retirement deed, co-accused Amit Bansal got renewed/ enhanced the*

credit limit from ₹20 lakhs to ₹43.46 lakhs in connivance with the Bank Managers, who are petitioners before this Court and withdrew the huge amount from the account of the Firm without consent and knowledge of the other partners and misappropriated the same.

Petitioners are the Bank Managers. They submit that they have nothing to do with the alleged offence. The enhanced amount was taken away by Amit Bansal. Learned counsel for the petitioners has also placed on record copy of the order dated 02.02.2024 passed by this Court in CRM-M-552 of 2024, whereby the main accused Amit Bansal has already been allowed regular bail.

On specific query put to learned State Counsel, it is conceded that the custodial interrogation of the petitioners is not required, though both are required to be joined in the investigation.

Counsel for complainant alleges that petitioners were conniving with co-accused Amit Bansal.

Adjourned to 05.04.2024.

In the meantime, in case of their arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioners shall join the investigation as and when so required by the Investigating Officer. They shall not contact any person associated with the case to dissuade them from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. They shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

A photocopy of this order be placed on the file of connected case.”

Today learned State counsel, on instructions from ASI Harwinder Singh submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated

28.02.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

05.04.2024

(DEEPAK GUPTA)
JUDGE

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Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No