

(2013) 08 P&H CK 0802

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-20060 of 2013

Bhupinder Pal Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: Aug. 14, 2013

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 438(2)
- Penal Code, 1860 (IPC) - Section 120B, 409

Hon'ble Judges: Naresh Kumar Sanghi, J

Bench: Single Bench

Advocate: K.S. Dhaliwal and Mr. Anil Chawla, for the Appellant; K.S. Pannu, DAG, Punjab and Mr. Alok Mittal, for the Respondent

Final Decision: Allowed

Judgement

Naresh Kumar Sanghi, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner, Bhupinderpal Singh, who has been booked for having committed the offences punishable under Sections 120-B and 409, IPC, in a case arising out of FIR No. 108, dated 29.05.2013, registered at Police Station, City, Kapurthala. Learned counsel contends that the petitioner was the Manager in the Primary Agricultural Development Bank at Kapurthala; that at the time when the loan applications were allowed, there was no bar to sanction the loan on the basis of nazool property; that in compliance of the order dated 08.07.2013, the petitioner has joined the investigation and is no more required by the Investigating Agency for any other purpose.

2. Learned counsel for the State, on instructions from ASI Nirmal Singh, Police Station, City, Kapurthala, very fairly concedes that in compliance of the order dated 08.07.2013 passed by this Court, the petitioner has joined the investigation and is no more required by the Investigating Agency for any other purpose.

3. Learned counsel for the complainant-bank vehemently opposed the grant of bail to the petitioner but could not substantiate his submissions as to why the said concession should not be extended to the petitioner.

4. Heard.

5. The petitioner was the Manager of the said bank. The fact that on the basis of nazool property, the loan could be sanctioned would be a moot point during the course of investigation/trial. The petitioner has joined the investigation and is no more required by the Investigating Agency for any other purpose.

6. Keeping in view the totality of the facts and circumstances of the case, the present petition is allowed and the order dated 08.07.2013 passed by this Court whereby the ad-interim anticipatory bail was granted to the petitioner, is made absolute. The petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down u/s 438(2), Cr.P.C.