

2025:PHHC:018073



214.

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-33630-2024

Date of decision: 06.02.2025

Asa Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.K. Shukla, Advocate, for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab, with
ASI Taranjeet Singh.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail, under Section 482 of BNSS, 2023, in FIR No.0054, dated 02.05.2024, under Section 409 of IPC, Section 13 of Prevention of Corruption Act 1988, registered at Police Station Amloh, District Fatehgarh Sahib.

On 25.11.2024, while noticing the following submissions made by the learned counsel for the petitioner, 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 his submissions made on earlier dates before this Court that there was some outstanding dues including salary of the petitioner at the time of commission of the alleged misappropriation and

fabrication of funds approximately amounting to Rs.6,79,000/-. On the previous date of hearing, repeated adjournments had been sought by the learned State counsel to verify the authenticity of the submissions made by learned counsel for the petitioner. On the last date of hearing, it had been made clear that no further adjournment shall be granted to the State. However, yet again the reply filed by the State is evasive and does not contain averments with respect to the submissions made by the counsel for the petitioner on 09.09.2024.”

Learned counsel for the petitioner submits that in compliance of order dated 25.11.2024, the petitioner has joined investigation and cooperated with the Investigating Agency and hence, the said order be made absolute. It has also been submitted by the learned counsel that the allegations against the petitioner are unfounded; during the time of the alleged offence, the petitioner was maintaining a salary account with the society, with his salary balance pending settlement by the Society. Furthermore, the Society retained the petitioner's outstanding salary dues in the said account. It has also been submitted that the case of the prosecution is predominantly based on documentary evidence.

Learned State counsel, on instructions, has not disputed the submissions made by the counsel opposite with respect to the petitioner joining investigation. Learned State counsel, on further instructions, submits that since the petitioner has joined investigation, his custodial interrogation would not be required. However, it has been asserted by the

learned State counsel that the petitioner, while serving as a Secretary of the Ghullu Majra MPCASS Limited, misused his official position by unauthorizedly selling stocks valued at Rs.6,78,515/-.

In the light of the foregoing discussion, the instant petition is allowed and the interim order dated 25.11.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

**(MANJARI NEHRU KAUL)
JUDGE**

February 06, 2025

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No