

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-27945-2015
Date of decision: 24.9.2015

Shamsher Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.R.N.Lohan, Advocate for the petitioner.
Mr.Ashish Yadav, Addl. A.G., Haryana.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.163 dated 30.4.2014 registered under Sections 420/409/120-B IPC at Police Station Sadar Hisar.

Notice of motion was issued and interim protection was granted to the petitioner.

Learned counsel for the petitioner submits that in compliance of the order dated 21.8.2015 passed by this Court, petitioner has joined the investigation and cooperated with the investigating agency. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Dilbag Singh, Police Station Sadar Hisar, submits that though petitioner has joined the investigation but he has not fully cooperated with the investigating agency. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that in the peculiar fact situation of the present case, petitioner has been found entitled for the concession of anticipatory bail. It is so said because the Apex Society, i.e. The Hisar District Central Cooperative Bank Limited, Hisar, vide order dated 8.1.2014 found one Rajesh Kumar, Salesman, responsible for the embezzlement of the amount in question. It is a matter of record and not in dispute. Further, learned counsel for the State did not allege that petitioner has tried to misuse the concession of interim anticipatory bail granted by this Court.

In view of the above, the present petition is allowed. The order dated 21.8.2015 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

24.9.2015

mks

**(RAMESHWAR SINGH MALIK)
JUDGE**