

CRM No.M-40141 of 2015 (O&M)
Date of decision: December 22, 2015

Sanjeev Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. K.P.S.Virk, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.78 dated 22.04.2015 under Sections 408/420 of Indian Penal Code registered at Police Station Derabassi, District S.A.S. Nagar, Mohali.

Notice of motion was issued in this case and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the allegations in the FIR, one Durjan Singh, working as Supervisor in the mill of the complainant has given higher estimates in respect of waste paper for the last 9/10 years and has embezzled the amount etc. The present petitioner is only a driver in the company and is stated to have fled

away from the spot. The petitioner has already joined the investigation. He is not required for any investigation or interrogation purposes. The trial of the case will take long time. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case, I find it a fit case where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is allowed. The order dated 13.11.2015 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

December 22, 2015
rajesh.k.khurana

(INDERJIT SINGH)
JUDGE