

CRM-M No.22880 of 2016 (O&M)

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

**CRM-M No.22880 of 2016 (O&M)
Date of Decision : 26.09.2016**

Gurdev Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. V.K.Jindal, Senior Advocate with
Mr. Ram Kumar Saini, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Additional A.G., Haryana.

Mr. Narender Pal Bhardwaj, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

On 23.07.2016 the following order was passed:-

“This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.51 dated 02.06.2016 registered under Sections 406/409 IPC at Police Station Panjokhra, District Ambala.

The allegations are that as per the stock register material worth Rs.7,55,000/- odd was supposed to be present physically but nothing is present.

Learned senior counsel for the petitioner states that even though the petitioner does not admit any defalcation yet to show his bonafides he is ready to make a fixed deposit of the entire amount during the pendency of the inquiry to be handed over to the party whoever may be found entitled thereto after the enquiry. In this connection, he states that deposit of Rs.4.00 lacs shall be made within three days and the remaining Rs.3.50 lacs will be made within one month.

Learned counsel for the complainant has sought to argue that there are other allegations too against the petitioner. However, learned Deputy Advocate General has accepted that as regards the present FIR the allegations are only with respect to Rs.7,55,000/-.

Keeping in view the stand of the petitioner, I do not deem it appropriate to deny the concession of bail to the petitioner. Let the petitioner appear before the Investigating Officer on 26.07.2016 with a fixed deposit of Rs.4.00 lacs created in favour of the Director Panchayat, Haryana and on his so doing the I.O. shall release him on interim bail. Thereafter, the petitioner is directed to appear before the I.O. again on 26.08.2016 with another fixed deposit receipt of Rs.3.50 lacs in favour of the Director Panchayat, Haryana.

Adjourned to 26.09.2016.”

Learned counsel for the petitioner states that pursuant to the last order dated 23.07.2016 the petitioner has made the necessary deposit.

Learned Additional Advocate General, on instructions from
ASI Surinder Kumar has accepted this fact.

In these circumstances, I do not deem it appropriate to deny
anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated
23.07.2016 is made absolute subject to the conditions envisaged under
Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal
miscellaneous application, if any, also stands disposed of.

(**AJAY TEWARI**)
JUDGE

26.09.2016
pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No