

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

**CRM-M No.36006 of 2015 (O&M)
Date of Decision: 27.01.2016**

Sher Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Harinder Singh, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by A.S.I. Jaskaran Singh.

JASWANT SINGH, J. (Oral)

Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner/Manager, Cooperative Bank, who has been booked for having committed the offences punishable under Sections 406, 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, in a case arising out of FIR No.143 dated 11.09.2015, registered at Police Station Maur, District Bathinda (**Annexure P-1**).

The allegation is that there were certain dead members of various multipurpose Cooperative Agricultural Service Societies, affiliated to the Central Cooperative Bank, Bathinda, however, loans were still sanctioned by the Secretaries of the Societies in their accounts, resulting into release of loans by the Central Cooperative Bank in such accounts. It is further alleged that the money was periodically withdrawn from such accounts of dead persons and misappropriated.

It is submitted that as far as the role of the present petitioner is concerned, he was a Manager of the Bhatinda Central Cooperative Bank Limited Branch Seikhpura, posted only for a period of three months i.e. w.e.f. 07.04.2008 to 17.07.2008. He is stated to have retired on 31.07.2012.

It is further contended that loans are sanctioned by the Office-Bearers of the Societies, which are duly verified by the Inspector of the Cooperative Society and thereafter the loans are released by the bank and as such, the petitioner had no reason to disbelieve the sanctioned loans qua the alleged dead persons and as such, no offence is made out against the petitioner.

Learned State Counsel, assisted by ASI Jaskaran Singh, submits that the petitioner has joined the investigation and his custodial interrogation is no longer required.

In view of the above, interim protection/pre-arrest bail granted by this Court, vide order dated 19.10.2015, is made absolute.

Disposed of.

January 27, 2016

Gagan

**(JASWANT SINGH)
JUDGE**