

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

Sr. No.205

CRM NO. M-41081 of 2016
DECIDED ON: December 06, 2016

BHIM SINGH

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Chanderhas Yadav, Advocate,
for the petitioner.

Ms. Harpreet Kaur, DAG, Haryana.

JASPAL SINGH, J. (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioner Bhim Singh has sought pre-arrest bail feeling apprehension of his arrest in case FIR No. 159, dated May 11, 2005, under Sections 420, 467, 468, 471 IPC, registered at Police Station Jhajjar, District Jhajjar, during the pendency of trial.

Learned counsel for the petitioner contends that after the registration of the FIR in question, co-accused of the petitioner namely Om Parkash @ Omal, Jai Bhagwan, Satish Bhatia, Sanjay Kumar @ Madan Gupta and Rajender Kathuria were challaned and put to trial. During the pendency of trial, Satish Bhatia and Sanjay Kumar were taken away by the nature, whereas Rajender Kathuria was acquitted. However, Om Parkash @ Omal and Jai Bhagwan were convicted by the court. State of Haryana challenged the acquittal of Rajender Kathuria and the case was remanded

CRM NO. M-41081 of 2016

with the direction to further investigate the matter. Feeling apprehension of his arrest, petitioner Bhim Singh has approached this Court as he had introduced Om Parkash @ Omal, Jai Bhagwan and Satish Bhatia when the accounts in the name of Jan Kalyan Sewa Samiti was opened. The petitioner was only the introducer.

Learned counsel further contends that neither a single penny has been credited in the account of Jan Kalyan Sewa Samiti nor debited in its account. Thus, there is a no loss to the State exchequer or profit to the co-accused of the petitioner. The petitioner has put in more than 33 years of service in the bank and his entire service is unblemished and without any such stigma. Otherwise also, he is likely to retire shortly.

Instant petition is allowed and petitioner is directed to join the investigation on 12.12.2016 at 11.00 a.m. and subsequent thereto as and when required by the Investigation Agency. In the event of his arrest, petitioner shall be released on interim bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

December 05, 2016
Avin/Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No