

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

CRM No.M-8094 of 2016 (O&M)

Date of Decision: 01.06.2016

Arvind Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.S. Manhas, Advocate for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in case FIR No.129 dated 24.04.2015, under Sections 419/420 IPC, registered at Police Station Sector 5, Panchkula, District Panchkula.

On 10.03.2016, while issuing notice of motion, the following order was passed by this Court:

“Petitioner seeks concession of pre-arrest bail in case FIR No.129 dated 24.04.2015, under Sections 419/420 IPC, registered at Police Station Sector 5, Panchkula.

Allegations in a nutshell against the petitioner are of having secured appointment to the post of Computer Operator in State Bank of Patiala having remained successful in a written test as also in an interview and in which some other person had allegedly impersonated for him.

Counsel would argue that the petitioner is ready and willing to join investigation and in any case as a follow up of the allegations levelled against the petitioner, his services stand terminated.

Notice of motion, returnable for 01.06.2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/ Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from SI Pawan Kumar would apprise the Court that the petitioner has since joined investigation.

Even though, the present petition is opposed by learned State counsel by submitting that the petitioner is not cooperating in the matter, yet it may be noticed that the allegations levelled by the complainant-Bank are that the petitioner has secured appointment to a post in the Bank by adopting a *modus operandi* wherein some other person had impersonated for him in the written test as also in the interview.

Such allegations can possibly be founded and substantiated on the basis of documentary evidence. It is also not in dispute that on the basis of such allegations, services of the petitioner have since been terminated by the Bank.

Petitioner having already joined investigation, his custodial interrogation would not be warranted.

Petition is allowed. Order dated 10.03.2016 passed by this Court is made absolute.

Disposed of.

01.06.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**