

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-23540 of 2018

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Date of decision:10.8.2018

Harvinder Sharma

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mrs. Baljit Man, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the respondent-State.

Mr. Parshotam Lal Verma, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.40 dated 10.5.2018 registered for the offence under Section 408 IPC at Police Station Division No.4, District Patiala.

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has appeared on behalf of the respondent-State and Mr. Parshotam Lal Verma, learned Advocate has appeared for the complainant and contested this petition.

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

From the record, I find that the petitioner was President of Veer

Haqiqat Rai Sanatan Dharam Sabha, Patiala (Regd. Society) (hereinafter referred to as 'the Sabha'). As per allegations in the FIR, he committed irregularities etc. and has also misappropriated the amount and caused loss to the Sabha. The payments were made on the basis of some vouchers etc.

At the time of arguments, learned counsel for the petitioner stated that mostly vouchers have been signed by the complainant also. Learned counsel for the complainant as well as learned State counsel admitted that so many vouchers, which are in question, were also signed by the complainant.

The petitioner has already joined the investigation. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 30.5.2018 passed by this Court 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 of Section 438 (2) Cr.P.C.

August 10, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No