

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-39198 of 2018

.....

Date of decision:17.10.2018

Jagdish Mittar

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Ritesh Aggarwal, Advocate with Mr. Harkirat S. Sakrali and Ms. Mandeep Kaur, Advocates for the petitioner.

Mr. Pawan Sharda, Senior Deputy Advocate General, Punjab for the respondent-State.

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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.

Mr. Pawan Sharda, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that the petitioner is stated to be an Accountant of Veer Haqiqat Rai Sanatan Dharam Sabha, Patiala (hereinafter referred to as 'the Sabha'). As per the allegations in the FIR, irregularities

etc. have been committed, amount has been misappropriated and loss has been caused to the Sabha. The payments were made on the basis of some vouchers etc. The allegations are against the President of the Sabha, namely, Harvinder Kumar Sharma, who has already been granted the benefit of anticipatory bail. The main case is regarding making payment on the basis of vouchers and so many vouchers were also signed by the complainant himself.

The petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. 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 7.9.2018 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.

October 17, 2018.

(Inderjit Singh)
Judge

hsp

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