

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

CRM-M-4195-2018 (O&M)

Date of Decision:-10.7.2018

Sanjay Tanwar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Goyat, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Pawan Girdhar, Advocate for respondent No.2-complainant.

GURVINDER SINGH GILL, J.(Oral)

In the present case, FIR No.454 dated 2.6.2017 was registered against the petitioner under Section 409 of Indian Penal Code, 1860 at Police Station Civil Lines, Hisar for having violated the provisions of 'E.P.F. Scheme' and for not having deposited the employer's share of provident fund.

The dispute in the present case is as to whether the said share to be deposited has to be computed on the basic pay or on the actual pay drawn by the employee. At the time of issuance of notice of motion, it had been represented by the petitioner that he shall deposit the entire amount due i.e. an amount of ₹ 68,494/-.

Today, at the very outset, the learned counsel for the petitioner has submitted that the said amount has already been deposited by him, which has not been disputed by the learned State counsel.

It has been informed by the learned counsel for the State, upon instructions from Sub Inspector Dagar Singh, that the petitioner has already joined investigation.

Having regard to the facts and circumstances of the case, in my opinion, it is a fit case where the concession of anticipatory bail can be extended to the petitioner. As such, the present petition is hereby accepted and interim directions issued by this Court vide order dated 2.2.2018 are hereby made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when directed.

This petition stands accepted accordingly.

10.7.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No