

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-10489-2019 (O&M)

Date of Decision:-14.3.2019

Satya Parkash

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.R. Yadav, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.495 dated 1.10.2018 at Police Station Civil Lines, Gurugram (Haryana) under Section 409 of Indian Penal Code, 1860.

The allegations, in nutshell, are that the petitioner, while working as a Cashier in 'Dakshin Haryana Bijli Vitran Nigam' (DHBVN) alongwith Inderjit and Mahesh Yadav had embezzled an amount of ₹12,57,441/-.

The learned counsel for the petitioner has submitted that a substantial part of amount of about more than ₹9.5 lacs has already been recovered and that the petitioner, in any case, is behind bars since the last about two months and, as such, deserves to be released on bail.

Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and that an amount of ₹7.5 lacs has been recovered from the petitioner indicating his complicity in the matter, no case for grant of bail is made out.

Having considered rival submissions addressed before this Court and bearing in mind the fact that the case is mainly based on documentary evidence and that the substantial part of amount has already been recovered and also that the petitioner has been behind bars since the last about two months, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner Satya Parkash is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands accepted accordingly.

14.3.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No