

204-3

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

CRM-M-27960 of 2018

Date of decision: July 09, 2019

Mani Ram @ Maniya

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kamal Choudhary, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

Mr. Santlal Barnala, Advocate
for respondent No.2-complainant.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in complaint No.494-I of 2014 dated 23.07.2014, under Sections 409, 467, 471, 120-B of Indian Penal Code, 1860.

Allegation against the petitioner is that he along with co-accused made false attendance in attendance register and embezzled public money under MNREGA scheme.

Contentends that in terms of order dated 09.07.2018 passed by this Court, petitioner has already joined proceedings before the learned trial Court and is appearing regularly.

The above factual position is duly acknowledged by

learned State counsel, on instructions from police official present in Court, as well as learned counsel for respondent No.2.

On 09.07.2018, while issuing notice of motion, this Court has passed the following order:-

“It has been submitted that in the inquiry report Ex.P-2 which has been conducted under Section 202 Cr.P.C., no role has been attributed to the petitioner.

Notice of motion for 04.10.2018.

In the meanwhile, the petitioner is directed to surrender before the Arresting/Investigating Officer within seven days. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him .”

Since main accused, namely Ram Kumar has already been granted concession of pre-arrest bail on 23.04.2019, consequently, this Court is inclined to grant similar relief to the petitioner as well.

In view of the above, order dated 09.07.2018 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

July 09, 2019
mahavir

Whether speaking/ reasoned: Yes

Whether Reportable: Yes