

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

**212**

**CRM-M-16632-2019**

**DATE OF DECISION: 06.11.2019**

**NARENDER**

**... Petitioner(s)**

***Versus***

**STATE OF HARYANA**

**... Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Parshant Sethi, Advocate for the petitioner(s).

Mr. D.R. Singla, DAG, Haryana.

Mr. Bhupinder Singh, Advocate for the complainant.

**ANUPINDER SINGH GREWAL, J. (ORAL)**

The petitioner is seeking anticipatory bail in FIR No.586, dated 30.11.2018, under Section 420, 406, 407, 120-B IPC, registered at Police Station Sadar Ballabgarh, District Faridabad.

Learned counsel for the petitioner contends that the allegations in the FIR, which has been registered on the complaint of Anil Kumar, are that he had sent a tanker loaded with milk after its collection at Palwal to Amul Milk Plant at IMT, Faridabad, although the truck containing milk had entered the premises of Milk Plant but the milk was not delivered and the vehicle left the premises and, therefore, the milk has been misappropriated by the driver in connivance with the officials of the Milk Plant. Learned counsel, however, contends that the petitioner is a Security Guard at the Milk Plant and was on duty from 09:00 a.m. to 05:00 p.m. on 20.11.2018. Learned counsel for the petitioner further contends that the petitioner was not on duty at 5.00 a.m. on 20.11.2018 when the tanker entered the premises and left without delivering the milk.

He also contends that similarly situated co-accused, Ashok Bhai, has been granted regular bail by this Court in CRM-M-3721 of 2019 titled as Ashok Bhai Vs. State of Haryana.

This Court, by the order dated 11.04.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Umar Mohammad, states that although the petitioner has joined investigation but he has not paid the money which has allegedly been deposited in his account. The other accused, who had been arrested, had deposited the money which was received by them. He also contends that at present there is a sum of Rs.4,50,000/- in the account of the petitioner and he be directed to deposit that amount.

At this juncture, learned counsel for the petitioner states that without prejudice to his rights and contentions, the petitioner is ready to deposit the demand draft for a sum of Rs.2 lakh before the trial Court. He will create a fixed deposit for a sum of Rs.2 lakh and deposit the same before the trial Court within two weeks from now.

In view of the submissions of the learned counsel for the petitioner and the petitioner having joined investigation, the order dated 11.04.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)  
JUDGE

06.11.2019.

SwarnjitS

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|---------------------------|---|----------|
| Whether speaking/reasoned | : | Yes / No |
| Whether reportable        | : | Yes / No |