

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

**CRM-M-53127-2018
Date of decision-08.02.2019**

Ram Mehar

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jainainder Saini, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
SI Rameshwar Dass.

MANOJ BAJAJ, J.

Petitioner has prayed for grant of regular bail in case FIR No.160 dated 04.08.2017 under Sections 409, 420, 201 and 120-B of Indian Penal Code registered at Police Station Bass, Police District Hansi, District Hansi.

The FIR was recorded on the statement of complainant-Satbir Singh, Branch Manager, Cooperative Bank, Bass, District Hisar with the allegations that officials engaged through Out Sourcing Agency have committed fraud with the Bank on different dates in the Branch at Bass, District Hisar and destroyed the record of the Bank, without any authority, against rules and embezzled the amount of Rs.49,99,827/- thereby caused monetary loss to the Bank.

Learned counsel for the petitioner contends that co-accused, namely, Sandeep is already on bail. According to him, Parvinder Singh,

Branch Manager is the key accused who had embezzled the amount. It is pointed out by learned counsel for the petitioner that FIR itself records the fact that the alleged embezzlement has been committed by using the accounts of the accused or other account holders. Learned counsel contends that account of the petitioner was misused. According to him, investigation of the case is complete and challan already stands filed.

On the other hand, learned State counsel assisted by SI Rameshwar Dass opposed the bail application on the ground that the amount of Rs.22 lakhs was deposited in his account which was later on withdrawn. At that stage, learned counsel for the petitioner contends that it all would be matter of evidence as to whether actually the amount was withdrawn and retained by the petitioner. The petitioner is in custody since his arrest on 29.08.2018.

Considering the above background, nature of the trial, which is triable by Magistrate, stage of the same which is likely to consume more time, further detention of the petitioner may not be justified. Without meaning any expression on the merits of the case petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

08.02.2019

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No