

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

247

CRM-M-29716-2019 (O&M)

DATE OF DECISION: 26.08.2019

DEEPAK KUMAR

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. G.S. Sullar, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 189 dated 02.06.2019, under Section 408 of the Indian Penal Code, 1860, registered at Police Station Murthal, District Sonipat.

Learned counsel for the petitioner contends that the FIR is vague and frivolous, as it is only alleged that the petitioner along with other accused had misappropriated the money received at the toll plaza. The petitioner had been working at the toll plaza and was on leave from 10.05.2019 to 18.05.2019 although it is alleged that the misappropriation was done for the period from 01.05.2019 to 27.05.2019. He also contends that the FIR was registered on 02.06.2019 and the petitioner had been paid a part of his salary on 07.06.2019, meaning thereby that the allegations against the petitioner have not been substantiated. He further contends that the petitioner is 22 years old professional and he is not involved in any other case.

This Court, by the order dated 16.07.2019, had directed the petitioner to appear before the Investigating Officer and join 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.

Status report by way of affidavit of DSP, Law and Order, Sonipat filed by the learned State counsel is taken on record wherein it is stated that in terms of the CCTV footage, on 18.05.2019, the petitioner was handing over Rs.2,000/- to an unknown person which shows that the petitioner was involved in misappropriating the huge amount. Learned State counsel, upon instructions from ASI Ajmer Singh, states that the petitioner has joined investigation but his custodial interrogation is necessary.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is 22 years of age and the petitioner having joined investigation, the order dated 16.07.2019 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.

26.08.2019

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

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