

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

CRM-M-33806-2019

Date of Decision: 31.10.2019

Suraj Kumar

...Petitioner

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikcy Sharma, Advocate for the petitioner.
Mr. Vikas Chopra, DAG, Haryana.

ANIL KSHETARPAL, J.

Petitioner prays for pre-arrest bail in FIR No.506 dated 20.07.2019 registered under Sections 409/120-B of the Indian Penal Code at Police Station, Gharaunda, District Karnal.

On 26.08.2019, following order was passed by this Court:-

“Keeping in view the facts of the present case, petitioner is directed to join the investigation and for that purpose he should visit the Police Station, Gharaunda, District Karnal, on 30.08.2019, at 10.00 AM.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Adjourned to 23.10.2019.”

Reply by way of affidavit has been filed.

Learned counsel for the State does not dispute that the petitioner has already joined the investigation.

Learned counsel for the petitioner submits that the petitioner was appointed as Cashier on 26.04.2017 and since Branch Manager expressed financial hardship, therefore, the petitioner even after getting the loan from the Bank, paid an amount of Rs.59,000/- on first occasion and Rs..2,21,000/- on second occasion to the Manager. He further submits that the petitioner was on leave from 04.03.2019 to 16.03.2019. However, when the petitioner joined the duty on 18.03.2019 at 9.30 AM, just after 10 minutes, raid was conducted. He further submits that the petitioner on the asking of the Bank Manager signed on the brochure that cash has been received at 9.39 AM. He also submits that the Bank Manager on coming to know about the raid, committed suicide.

The petitioner has already joined the investigation. Prosecution has failed to point out any requirement of custodial interrogation of the petitioner.

Without commenting on the merits of the case and keeping in view the facts of the case, the order dated 26.08.2019 is made absolute.

Petition stands disposed of.

31.10.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No