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

**CRM-M-9285-2020 (O&M)
Date of Decision: 20.08.2020**

RAM AVTAR

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Naveen S. Bhardwaj, Advocate
for the petitioner.

Mr. Deepak Bhardwaj, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.31 dated 28.02.2018, registered under Section 120-B/409/420/468/471 IPC (challan presented under Sections 120-B/180/409/419/420/468/471/467 IPC) at Police Station Loharu District Bhiwani.

Petitioner is a retired Bank Manager from Primary Agricultural Co-operative Society Ltd., having additional charge of Dhigawa Primary Agricultural Society Ltd. One Jai Parkash was posted as Salesman in the Society. The allegations are that

the said Jai Parkash had embezzled huge amount between the years 2012 to 2015. On acquiring knowledge, the Department constituted a Joint Committee vide order dated 17.08.2017 passed by the Deputy Registrar, Co-operative Society, Bhiwani. In the report submitted by the Joint Enquiry Committee, huge embezzlement was found. Permission was obtained for lodging FIR against the accused persons. On receipt of permission, FIR was registered. The Department Enquiry Committee also observed that Jai Parkash alone could not have embezzled the amount without involvement of others. It was suspected that the Managing Committee, Branch Manager and Bank Staff were also involved in connivance with the aforesaid Jai Parkash.

It is not in dispute that Jai Parkash has been granted regular bail by this Court vide order dated 27.02.2020 passed in CRM-M No.51055 of 2019. Co-accused Ashok has also been granted regular bail by this Court vide order dated 31.01.2020 passed in CRM-M No.53234 of 2019.

Petitioner is in custody since 28.08.2019. During course of investigation and on police remand, only recovery of Rs.2,000/- has been made from the petitioner.

Learned State counsel on instructions from ASI Ved Singh submitted that challan has been presented on 18.11.2019. Charges have been framed, but no prosecution

witness has been examined out of total 142 witnesses.

Having heard learned counsel for the parties, I find that the trial of the case will take long time in its culmination. Challan has already been presented. Due to the situation arising out of COVID-19 pandemic, the further progress in the case may be delayed. Petitioner is in custody since 28.08.2019. The offence is triable by the Magistrate.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

August 20, 2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No