

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

**CRM-M No.12053 of 2020**

**Date of Decision: 22.05.2020.**

Sonu Kumar

..... Petitioner.

**Versus**

State of Haryana

..... Respondent.

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. R.K.Handa, Advocate  
for the petitioners.

Mr.Anmol Malik, DAG., Haryana.

Mr.Saurav Verma, Advocate  
for respondent-Bank.

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**LISA GILL, J.**

This matter is being taken up for hearing through video conferencing due to the outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.109 dated 18.03.2019, under Sections 409, 420, 120-B IPC, Police Station Tosham, District Bhiwani.

It is submitted that the incident pertains to the year 2017 and the FIR in this case was lodged on 18.03.2019. Moreover, the amount in question was duly returned. The petitioner, it is submitted was placed under suspension w.e.f., 03.01.2018 and a departmental enquiry was initiated, as well. It is further

submitted that the petitioner undertakes to fully cooperate with the investigation and give his specimen signatures etc., as may be required by the investigating agency within one week from today itself. Therefore, it is prayed that this petition be allowed.

Learned counsel for the complainant-Bank, is unable to deny that the petitioner was placed under suspension w.e.f., 03.01.2018. It is informed that the enquiry against the petitioner has been completed and a show cause notice proposing to terminate his services, has been issued to him. It is however not denied that the amount in question stands deposited and some of the complainants have submitted their affidavits accepting that the amount in question, has been returned.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. The petitioner shall join investigation as and when required by the investigating agency and shall fully cooperate in the investigation of this case. In the event of his arrest, petitioner be released on bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

It is made clear that, in case, the petitioner does not give his specimen signatures etc., within one week, the complainant-Bank/State, are at liberty to move an appropriate application before this Court and the petitioner may be burdened with exemplary costs, in such a situation.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

May 22, 2020.  
s.khan

( **LISA GILL** )  
**JUDGE**

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