

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

CRM-M-16313-2020(O&M)

Date of decision : 25.09.2020

Naresh Kumar

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Akashdeep Singh, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.125 dated 11.06.2020 registered under Sections 419, 420, 467, 468, 471 of the Indian Procedure Code, 1860 at Police Station Rohtak Civil Lines, District Rohtak.

On 24.06.2020, the following order was passed:-

“Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.125 dated 11.06.2020, registered under Sections 419, 420, 467, 468, 471 of the Indian Procedure Code, 1860, at Police Station Rohtak Civil Lines, District Rohtak.

It has been contended by learned counsel for the petitioner that the FIR has been registered against the petitioner for

the alleged fraud committed by him inasmuch as he was withdrawing pension on behalf of his father who had died way back in the 2011. It has also been stated in the FIR itself that the alleged amount which had been withdrawn by the petitioner i.e. of `92,61,135/- has already been deposited by the petitioner in the Treasury Office. He further submits that the petitioner is 68 years old and is admitted in the R&R Army Hospital Delhi as he was suffering from fever from the last many days and has now been diagnosed with acute Cholecystitis (Gall Bladder Inflammation).

Notice of motion returnable 25.09.2020.

On the asking of the court, Ms. Aditi Girdhar, AAG, Haryana has joined the session through video conferencing and accepts notice.

A complete copy of the petition already stands furnished to the learned State counsel. On instructions from Inspector Lalit, P.S. Rohak Civil Lines, she submits that although the amount has been deposited, yet the petitioner is required for interrogation. She seeks some time to get complete instructions.

Meanwhile, the petitioner shall join the investigation and would come present as and when called. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all terms and conditions as specified under Section 438(2) of the Criminal Procedure Code, 1973.”

Learned counsel for the petitioner has submitted that the petitioner has since joined the investigation.

Today learned counsel for the State, on instructions from ASI Sanjay Kumar, has stated that the petitioner has since joined the investigation on 12.09.2020 and has fully cooperated. He is no longer required for any further investigation as of now.

In view of the above, the order dated 24.06.2020 is made absolute. The petitioner shall, however, join the investigation as and when called for and shall also abide by all the conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Disposed off, accordingly.

25.09.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO