

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

201

**CRM-M-No. 22745 of 2020
Date of Decision: 12.11.2020**

DEEPAK RATHI

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

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

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana

RAJ MOHAN SINGH, J. (Oral)

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

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.109 dated 12.07.2020 under Sections 409, 420, 467, 468, 471 IPC and Section 66-D of IT Act, 2000 registered at Police Station Sector 37, Gurugram, Haryana.

Notice of motion was issued on 14.8.2020. Learned counsel for the petitioner contended that the petitioner is not a public servant and offence under Section 409 IPC is not attracted. The allegations against the petitioner are of connivance with Vinod Kumar in forging the documents and opening the bank account, which was already closed. Petitioner

had already deposited an amount of Rs.2,50,000/- and on the basis of his willingness to deposit the remaining amount of Rs.7,98,137/-, notice of motion was issued to the respondent State along with stay of arrest of the petitioner. On 29.9.2020, learned State counsel, on instructions from the Investigating Officer, submitted that the petitioner has deposited an amount of Rs.5,48,137/- on 18.9.2020 with the Senior Superintendent, Post Office, Gurugram, but some other documents are yet to be recovered from him. Petitioner was directed to join the investigation.

Today, learned State counsel, on instructions from Inspector Shailender Singh, submits that the petitioner has joined the investigation to the satisfaction of the Investigating Officer and he is not required in any further investigation of the case.

In view of above, interim orders dated 14.8.2020 and 29.9.2020 are made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

November 12, 2020

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Whether speaking/reasoned

Yes/No