

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

**CRM-M No. 27196 of 2019  
Decided on: 23.01.2020**

Ramesh Kumar

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

**Present :** Mr. R.S. Tacoria, Advocate  
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioner prays for grant of anticipatory bail in FIR No.332 dated 03.12.2014, registered under Sections 406, 408 and 120-B IPC at Police Station Ellenabad, District Sirsa.

The operative part of the order dated 24.06.2019, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

*“...Learned counsel for the petitioner inter alia contends that the petitioner has retired as a partner of the firm namely M/s Friends Security Services, jind on 18.12.2013 whereas the amount was transferred in the account of the said Firm on 05.08.2014, thus he has no role in the said transaction....”*

Thereafter, the petitioner was redirected to join the investigation on two subsequent dates.

Affidavit of the Deputy Superintendent of Police, Ellenabad is on record and as per the said affidavit, it is stated that

although the entire amount has been withdrawn by the accused – Harish Kumar from PNB and South Indian Banck, yet the petitioner – Ramesh Kumar has not raised any objection or protest even upto date, against the withdrawal of this amount.

Counsel for the petitioner has further submitted that this is the only allegation against the petitioner that since the amount was transferred in a joint account, however, in the investigation it has come that it is the co-accused Harish Kumar, who has withdrawn the entire amount and the petitioner is not a beneficiary in the same.

Counsel for the petitioner has submitted that, in pursuance to the order dated 24.06.2019, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Ram Niwas, has not disputed the aforesaid fact, however, opposed the prayer for bail on the ground that Harish Kumar is yet to be arrested as his bail application has been dismissed by this Court.

In view of the above, considering the allegation against the petitioner and as per the investigation carried out till date, this petition is allowed and the interim bail granted to the petitioner vide order dated 24.06.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**23.01.2020**  
*yakub*

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No