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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6629-2020
Date of decision-15.09.2021

RAM DIYA

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ajay Kumar Sharma, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.14 dated 11.11.2013, under Sections 409, 420, 467, 468, 471 & 120-B Indian Penal Code, 1860, registered at Police Station State Vigilance Bureau, Ambala, District Ambala. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 14.02.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Through this petition under Section 438 Cr.P.C. Prayer has been made for grant of anticipatory bail to the petitioner – Ram Diya – in

case FIR No.14 dated 11.11.2013 registered under Sections 409, 420, 467, 468, 471 and 120-B IPC at Police Station State Vigilance Bureau, Ambala.

According to prosecution, petitioner as a cashier in Primary Agricultural Cooperative Society, Saunti, District Ambala, embezzled huge amount at different intervals by withdrawal from the savings accounts of the members. On noticing that his fraud had come to light, he through one Jagat Ram, his clerk, got redeposited certain amounts to conceal his crime. Investigating agency has to investigate as to how much total amount was embezzled by the petitioner during his service as cashier.

Learned counsel inter alia contends that petitioner is ready to join investigation. Petitioner retired a long ago. At present, his age is 76 years. No recovery has to be effected from him. In case, any money is recoverable from the petitioner, he is ready to pay the same with interest.

Notice of motion for 7.5.2020.

Meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, petitioner – Ram Diya – shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by Inspector Somesh Kumar does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim

bail granted by this Court vide order dated 14.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

15.09.2021

<i>Vipin kumar</i>	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No