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

(Through video conferencing)

**CRM-M No.19039 of 2020
Date of Decision: 01.10.2021**

CHANDER NARULA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

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

Present: Mr. Surinder Garg, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.139 dated 18.09.2019 registered under Sections 409/420/465/468/471 IPC at Police Station Gidderbaha, District Sri Muktsar Sahib.

Petitioner was working as Assistant Manager with the Oriental Bank of Commerce, Branch at Gidderbaha.

The allegations are of forgery and fabrication of official records with an intention to cheat the employer Bank. Petitioner

was assigned the duty of loan advancement and was also working as Field Officer at the relevant time. During that process, petitioner misused his position and cheated the Bank in a sum of Rs.72,66,198.20. The allegations pertain to the year 2016 to 2019. Some of the vouchers were not found available in the Bank record.

During the in-house inquiry conducted by the Bank, the petitioner is alleged to have admitted his guilt and has deposited an amount of Rs.19 lakhs with the Bank. After investigation, the challan had already been submitted on 04.01.2020. The stand taken by the petitioner in respect of involvement of other officials of the Bank has been negated during course of investigation. Only petitioner is found responsible for the allegations in question. After filing of challan, charges have already been framed on 04.02.2020, but no prosecution witness has been examined so far.

Learned State counsel on the other hand opposed the bail on the ground that the petitioner has committed fraud by using fake IDs. Cheating and misappropriation are apparent on record. Petitioner has not been made scapegoat for the fault of others. Petitioner has admitted his guilt during in-house inquiry by depositing an amount of Rs.19 lakhs.

Having considered the submissions made by learned

counsel for the parties, I find that there are allegations and denial by the parties. The fact remains that public money has been usurped. At this juncture, no final assessment of allegations can be made as the same would depend upon the nature of evidence to be brought on record by the prosecution. Petitioner has already deposited an amount of Rs.19 lakhs with the Bank. The stand of the petitioner viz-a-viz. involvement of other bank officials would be tested by the trial Court at the threshold of judicial scrutiny. The offence is triable by the Magistrate. Petitioner is in custody for the total period of 6 months and 11 days.

Earlier the petitioner was arrested on 08.11.2019. He was granted interim bail on 06.05.2020. After availing the interim bail from 06.05.2020 to 13.09.2021, petitioner has surrendered before the Jail Authorities. Petitioner has not misused the concession of interim bail granted to him under the recommendations of High Powered Committee during currency of COVID-19 pandemic.

Taking into consideration the aforesaid facts, I deem it appropriate to enlarge the petitioner on regular bail, without advertng to the merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

October 01, 2021

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No