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

CRM-M-23871-2020

Date of decision-13.07.2021

Veerbhan

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sushil Jain, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.306 dated 09.07.2020 under Sections 409, 420, 467 and 471 Indian Penal Code, 1860 registered at Police Station Rania, District Sirsa. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has argued that the petitioner was falsely implicated in the above FIR by complainant-Jangir Singh (Gram Sachiv), as the petitioner's wife had given complaints against the complainant. According to him, the petitioner was elected Sarpanch pursuant to the elections held in the year 2016 and it was complainant, who was not discharging his duties properly as

Panchayat Secretary and the petitioner objected to it.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 21.08.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner.

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 SI Rajinder Singh states that the petitioner has joined the investigation but according to him, the alleged amount of embezzlement is yet to be recovered from the petitioner, therefore, his custodial interrogation is required. Learned State counsel has not disputed this fact that the case of the prosecution is based upon documentary material and the same has already been taken into possession by the Investigating Officer.

At this stage, learned counsel for the petitioner has submitted that as the petitioner has associated himself with the investigation, which is almost complete, therefore, his custodial interrogation may not be justified only for the purposes of recovery of

the alleged amount particularly when the charges are yet to be established.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 21.08.2020 is made absolute.

July 13, 2021

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No