

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-35172 of 2021
Date of Decision: 20.09.2021

Ramesh Kumar

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Avnish Mittal, Advocate for the petitioner.
Ms. Dimple Jain, AAG, Haryana.
Mr. Inderjit Singh, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

On 27.8.2021, following order was passed:

“The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 240 dated 8.8.2021, under Sections 409, 420, 467, 468, 471 and 506 IPC, registered at Police Station Bilaspur, District Yamunanagar.

The allegations are that the petitioner working with District Primary Co-operative Agriculture and Rural Development Bank Ltd. duped the complainant of Rs.6,00,000/- by issuing forged loan clearance certificate.

Learned counsel for the petitioner on instructions submits that the dispute is with regard to

Rs.6,00,000/-. To show his bonafide, the petitioner is ready to deposit Rs.6,00,000/- within a week with the trial court subject to outcome of the trial.

Learned counsel for the State opposes the prayer for grant of pre-arrest bail.

Though the complainant has not been impleaded as party, Mr. Aparna Singla, Advocate puts in appearance on behalf of the complainant and vehemently opposes the prayer for anticipatory bail.

The case is based upon documentary evidence and the alleged forged certificate is part of the record. Considering the offer made at this stage, no recovery is to be effected, the petitioner is granted interim bail subject to deposit of Rs.6,00,000/- with the trial court within one week from today subject to outcome of the trial. The amount deposited shall be kept in an FDR in a nationalised bank. In case of failure to deposit the amount within one week under any circumstance, the interim bail shall stand automatically vacated without reference to the Court.

The petitioner shall join investigation within ten days. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

List on 20.9.2021.”

Learned counsel for the State on instructions from SI-Om Parkash submits that Rs.6,00,000/- has been deposited and the petitioner joined the investigation. She further submits that specimen signatures of the petitioner are required hence, he is required to join the investigation again.

Learned counsel for the petitioner on instructions submits that

the petitioner has no objection in giving his specimen signatures and will join the investigation as and when called for.

In view of the statement made, the order dated 27.8.2021 is made absolute.

However, in case of petitioner's not adhering to the statement made, the State would be at liberty to move an application for re-calling of the order.

The petition stands disposed of.

[AVNEESH JHINGAN]
JUDGE

20th September, 2021

mk	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No