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

CRM-M No.40452 of 2020

Date of Decision:22.09.2021

SUCHA SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Paras Talwar, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.109 dated 21.08.2020 registered under Sections 420/409 IPC, at Police Station Pasyana, District Patiala.

Notice of motion was issued on 04.12.2020 and arrest of the petitioner was stayed on the arguments raised by learned counsel for the petitioner that the petitioner has retired from Ranbirpura Multipurpose Co-operative Society, Patiala on 30.04.2018, after rendering 32 years of unblemished service. No enquiry was pending at the time of his retirement and his retiral dues were duly acknowledged by the society by way of resolution dated 11.04.2018. After 2 years of the retirement, the allegations have been made in respect of alleged

embezzlement to the tune of Rs.9,06,433.07/-. Grievance of the petitioner was that the computation of the aforesaid amount was made for different reasons which were not even remotely connected with the service assignments of the petitioner. No departmental enquiry was ever conducted in respect of alleged embezzlement, nor any prosecution came to be lodged after more than two years of his retirement.

Learned counsel further submitted that the lodging of FIR was intended to ward off the retiral dues of the petitioner for the reasons best known to the society. Thereafter, petitioner was directed to join investigation vide order dated 03.03.2021.

Learned counsel for the petitioner submits that in compliance of the order dated 03.03.2021, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from SI Jagdish Singh admits the aforesaid fact and submits that the petitioner has joined the investigation on 24.04.2021 and his presence is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 03.03.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

22.09.2021
Amandeep

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No