

CRM-M-27096-2021

Amit Malik vs. State of Haryana

CRM-M-43979-2020

Manjeet vs. State of Haryana

CRM-M-49483-2021

Daljit Singh alias Bittu vs. State of Haryana

CRM-M-19380-2021

Yes Bank Ltd. vs. State of Haryana and another

CRM-M-43295-2020

Yes Bank Ltd. vs. State of Haryana and others

CRM-M-1726-2022

Vijay vs. State of Haryana

CRM-M-3033-2022

Nand Kishor vs. State of Haryana

Present: Mr. Vinod Ghai, Sr. Advocate with
Ms. Kanika Ahuja, Advocate for the
petitioner (in CRM-M-27096-2021).

Mr. Akshay Bhan, Sr. Advocate with
Mr. H.P.S.Sandhu, Advocate for the petitioner
(in CRM-M-43979-2020).

Mr. Vipul Goel, Advocate for
Mr. Yogesh Goel, Advocate
for the petitioner (in CRM-M-49483-2021).

Mr. Puneet Kakkar, Advocate
for the petitioner
(in CRM-M-19380-2021 & CRM-M-43295-2020)

Mr. Tejinder Pal Singh, Advocate
for the petitioner (in CRM-M-3033-2022 & CRM-M-1726-2022).

Mr. Aman Bahri, Addl.A.G., Haryana.

Mr. Pawan Kumar Hooda, Advocate
for respondent No.2. (in CRM-M-19380-2021).

CRM-M-43295-2020

Pursuant to the order dated 08.02.2022, an affidavit of the

Commissioner of Police, Gurugram, dated 24.03.2022, has been filed in CRM-M-43295-2020, which is ordered to be taken on record.

In the said reply it has been stated that a regular departmental enquiry has been initiated against Inspector Sandeep (No.H/43), vide an order of the DCP, Headquarters, Gurugram, dated 19.02.2022 (pursuant to directions issued by the Commissioner), with the enquiry entrusted to the ACP, Sadar, Gurugram, and with two prosecution witnesses having been already examined by the enquiry officer.

It has also been stated that necessary action would be taken against the aforesaid official on completion of the enquiry.

That being so, without making any further comment on that issue, with the enquiry expected to be conducted in a fair and proper manner, the actual issue as in question in the petition is being taken up.

Also in pursuance of the same order, an affidavit of the SP, Panipat, has been filed in the same petition, dated 17.03.2022, which is also ordered to be taken on record.

As per the said affidavit, the SIT has completely concluded its investigation and the custodial interrogation of none of the petitioners is required, with it also stated that the investigation has been carried out in an impartial and fair manner, with no other accused found to be involved in the crime as per such investigation.

That being so, as regards this petition (CRM-M-43295-2020), which is a petition filed by the complainant in the FIR (Yes Bank Ltd.), seeking a fair investigation and conclusion thereof, I would see no reason to

connected petitions

continue with the petition which is consequently disposed of with an observation that the SP having gone into the matter himself and having got a detailed investigation conducted, I would see no reason to direct yet another investigation in the matter, with the petitioner always at liberty to take its remedy before the competent court as regards any other persons it perceives to be involved in the commission of the offence who have not been arraigned as accused in the report/s submitted under Section 173 Cr.P.C. to the competent court.

Disposed of as such.

CRM-M-27096-2021

As regards the role of the petitioner herein, Amit Malik, he being the person who is alleged to be the kingpin in the entire matter, with the the largest amount of money as is subject matter of the fraud on the bank (as per the allegation), allegedly having been misappropriated by him, I am not inclined to admit him to absolute bail, but with the interim order admitting him to bail from time to time by this court, to continue in view of the fact that he had been in custody for more than 2 years at the time that he was admitted to interim bail.

Consequently, hearing in this petition is adjourned to 22.07.2022.

Interim order to continue till that date only.

CRM-M-43979-2021**CRM-M-49438-2021****CRM-M-3033-2022****CRM-M-1726-2022**

As regards the petitioners in all these petitions, they also having remained in custody for more than two years when they were admitted to

interim bail, though learned counsel for the complainant bank submits that they too do not deserve to be admitted to bail absolutely in view of the roles attributed to them, however, without making any comment on the actual merits of any case, these petitions are allowed with the interim orders passed on different dates in each case admitting the petitioners therein to interim bail, made absolute on the same terms and conditions.

CRM-M-19380-2021

For learned counsel State counsel to address arguments in detail on the issue of whether or not the impugned order passed in this case, is sustainable or not, adjourned to 21.04.2022.

(A photocopy of this order be placed on the files of the connected cases).

March 28, 2022

dharamvir//

**(AMOL RATTAN SINGH)
JUDGE**