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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.5897 of 2021 (O&M)
Decided on: 08.03.2022

Ramesh Chand

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR
No.24 dated 14.10.2020, registered under Sections 406, 409, 420 IPC at
Police Station Munuk, Karnal, District Karnal.

The operative part of the order dated 23.08.2021, vide
which interim anticipatory bail has been granted to the petitioner, is
reproduced as under:-

“....Learned Counsel for the petitioner has submitted that the petitioner was a whistle blower who first raised the complaint regarding embezzlement in the society. As per special audit report for the year 2017-18 of the Gagsina Cooperative Credit and Service Society Limited, Gagsina, District Karnal, the petitioner is alleged to have embezzled an amount of Rs.3,66,504/- which was deposited by him vide receipt dated 24.12.2019 and he is stated to have defaulted only in payment of the interest on the above said amount. The petitioner is ready to deposit the interest on the above said amount. The petitioner is ready to join the investigation.

Learned State Counsel seeks time to verify the facts regarding exact amount allegedly embezzled by the petitioner and required to be deposited by him and to address arguments.

Adjourned to 05.10.2021....”

Counsel for the petitioner has argued that the amount of Rs.3,66,504/- stands deposited with the Society, as per the audit report (Annexure P-4) and, in pursuance to the order dated 23.08.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact, however, it is submitted that the petitioner – Ramesh Chand, has not joined the investigation.

Though, this fact is disputed by counsel for the petitioner.

After hearing the counsel for the parties, considering the fact that the amount stands deposited, the petitioner is again directed to join the investigation.

Accordingly, this petition is disposed of and the interim bail granted to the petitioner vide order dated 23.08.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

It is made clear that as and when the petitioner is required for investigation, the Investigating Officer will issue an advance notice in writing to him.

(ARVIND SINGH SANGWAN)
JUDGE

08.03.2022

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No