

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23162-2022 (O&M)
Date of decision: 01.06.2022

Vinod Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Surinder Gandhi, Advocate and
Mr. Mayank Bansal, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.105 dated 04.03.2022 under Sections 120-B, 201, 409, 420 IPC, registered at Police Station Gandhi Nagar, Yamuna Nagar.

Learned counsel for the petitioner submits that the FIR was registered at the instance of one Sanjay Sharma, Territory Manager of IIFL Finance Ltd., Yamuna Nagar, with the allegations that Branch Manager Karan Singh has committed the offence of breach of trust and misappropriation of accounts. It is further stated that the company is having gold loan branches all over India and is financing loan against gold jewellery. During audit held on 25.02.2022, company's auditor found that Rs.38,000/- cash was missing from

the branch. On further inquiry, it came to the notice that Branch Manager Karan Singh had stolen the cash and has not reported in the office till 26.02.2022.

Learned counsel has argued that after arrest of Karan Singh, he made a disclosure statement and on the basis of same, the petitioner was nominated as an accused as he stated that the petitioner was also involved with him. It is further submitted that except for the disclosure statement of co-accused Karan Singh, there is no other evidence against the petitioner. It is also submitted that 14.5 grams of gold was recovered from the petitioner, however, he is not involved in any other case and challan stands presented.

Learned State counsel has filed the custody certificate in the Court today, which reflects that the petitioner is in custody for the last 02 months and 06 days and is not involved in any other case.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner is in custody for the last 02 months and 06 days; he is not involved in any other case; investigation is complete; challan stands presented and the offences are triable by the Court of Magistrate, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

01.06.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No