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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.26418 of 2021 (O&M)
Decided on: 20.01.2022

Krishan Lal

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ashit Malik, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. K.S. Banyana, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.43 dated 03.04.2021, registered under Sections 120-B, 406 and 420 IPC at Police Station Jhansa, District Kurukshetra.

The operative part of the order dated 26.07.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“....On 13.07.2021, the following order was passed:

Learned counsel for the petitioner submits that the FIR was registered against Sandeep, minor son of the petitioner and six other persons, on the complaint given by Sohan Lal Gupta, Branch Post Master, Village Rohti, with the allegations that accused persons have embezzled Rs.20.00 lacs by operating Indian Postal Payments Bank. It is further stated in the FIR that son of the petitioner Sandeep, on the pretext of helping the complainant-Post Master, has transferred Rs.20.00 lacs in his account and then, he transferred some amount in account of his father as well as his friend/co-accused. It is also stated that Rs.1.91 lac were transferred in the account of the petitioner, whereas other amount was transferred in the account of co-accused, who are stated to be friends of Sandeep. Learned counsel further submits that one co-accused of the petitioner namely Anmol, in whose account, Rs.1.14 lac were transferred, has already returned the

CASE HEARD THROUGH VIDEO CONFERENCING

amount to the investigating agency.

Learned State counsel, assisted by learned counsel for the complainant, has, however, submitted that as per the investigation, recovery of Rs.2,58,500/-, which fall to the share of the petitioner, is to be effected from him, as it is public money.

Learned counsel for the petitioner seeks some time to further address the arguments.

List again on 19.07.2021.”

At the very outset, learned counsel for the petitioner submits that petitioner is ready to deposit back Rs.1,91,000/-, which he has received from the account of his son.

Learned State counsel, assisted by learned counsel for the complainant, submits that the said amount, subject to final outcome of the case, may be deposited in the account of Indian Postal Payment Bank, from where the amount was recovered by the son of the petitioner. Adjourned to 28.09.2021....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 26.07.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State assisted by counsel for the complainant and on instructions from ASI Rajinder Singh, has not disputed the aforesaid fact and submits that the petitioner has handed over a demand draft of Rs.1.91 lacs with the State.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 26.07.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

20.01.2022
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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No