

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH.**

**203**

**CRM-M-38924-2021  
Date of decision: 09.03.2022**

**RANJEEV SONI**

**.....PETITIONER**

**Versus**

**STATE OF PUNJAB**

**.....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANT PARKASH**

**Present :** Mr. Inderjit Sharma, Advocate  
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab  
for the respondent-State.

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**SANT PARKASH, J. (ORAL)**

*(The case has been taken up for hearing through video conferencing.)*

Prayer in this petition under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner, in case, FIR No. 123 dated 21.08.2021 registered under Sections 406 and 420 of the Indian Penal Code, 1860 at Police Station Kathgarh, District Shaheed Bhagat Singh Nagar.

While issuing notice of motion on 20.09.2021, Co-ordinate Bench of this Court, granted interim anticipatory bail to the petitioner with direction to join the investigation. Relevant part of order dated 20.09.2021 reads as under :-

“ .....FIR was lodged on the complaint of Satvir Singh, Director Administration, Rayat Bahra College Railmajra, Tehsil Balachaur, District Shaheed Bhagat Singh Nagar. It is stated that on the direction of the Management of the Institute, the petitioner, who was Vice-President of the Institute, was deputed to collect Academic Fee, Examination Fee and Post-Matric Scholarship Fee from the students and take care of all the financial accounts. On 06.04.2021, the petitioner along with the Principal of the Institute appeared before the Chairman of Rayat

Educational & Research Trust and reported that a sum of Rs.11.50 lacs collected on account of Academic fee and Examination Fee had been stolen from the Alto Car of the petitioner, which was parked outside Rayat Polytechnic College. Having received this information, a Security Officer, who was deputed to inspect the venue, reported that there was no evidence of any theft having been committed as there was no scratch on the Car and that no damage to either the mirror of window or lock was found. Thereafter, an Enquiry Committee was constituted to look into the matter. The Committee after verification of all the facts and circumstances concluded that the version of the amount having been stolen, was false. It was found that the petitioner was unable to produce any proof so as to support his plea. Alleging that the amount has been embezzled by the petitioner, FIR was lodged.

Learned counsel for the petitioner submits that the petitioner has been working with the Institution since 2005. During his entire service career, no such allegation has been levelled against him. He has served the Institute with dedication. Immediately after knowing the theft being committed, he reported to the Management but the Management did not take any action in this regard. Instead, after more than one and half month, the Management constituted an Enquiry Committee without associating the petitioner and reached the conclusion that the version of theft was not credible.

Notice of motion for 26.11.2021.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has, while reiterating submissions made on 20.09.2021, submitted that in compliance with order dated 20.09.2021, the petitioner has joined the investigation and he may be granted anticipatory bail as his custodial interrogation is not required in the case.

Learned State Counsel has, on instructions from A.S.I. Raghubir Singh, acknowledged that in compliance with order dated 20.09.2021 passed by this Court, the petitioner has joined the investigation and that his custodial interrogation in the present case is not required.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserve grant of anticipatory bail.

Therefore, the petition is allowed and order dated 20.09.2021 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him.

**09.03.2022**  
kavneet singh

**(SANT PARKASH)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No