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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-50113-2021 (O&M)

Date of decision: 21.01.2022

AMARJEET SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Avtar Singh Syan, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. In FIR No.67 of 29.03.2021, lodged at Police Station Lehra, District Sangrur, an offence constituted under Section 409 of the IPC, is embodied.
2. Learned State counsel submits, that the bail applicant has fully co-operated with the investigations, as, carried into the offence (supra).
3. Be that as it may, since the complainant alleges, that allegedly a sum of Rs. 39,000/- is to be recovered from the bail applicant. Consequently, he submits that this Court make an order upon the bail applicant to, as a pre-condition for its making absolute the order made on 01.12.2021, rather deposit the afore alleged embezzled sums of money, before the complainant concerned.
4. However, this Court is not impressed with the aforemade submissions. The reason being that since the bail applicant, is a government employee, and, when the respondent-State can proceed to launch recovery proceedings against him, for ensuring the recovery of the afore alleged

embezzled sums of money. Therefore, till the initiation, and conclusion of the afore recovery proceedings, it may not be not appropriate for this Court, to insist upon the bail applicant, to make deposit of the afore sum, before the respondent-State, as it would tantamount to precluding the applicant from demonstrating, his innocence before the officer concerned, who proceeds to launch recovery proceedings against the bail applicant.

5. Therefore, it is open to State of Punjab to launch proceedings for recovery of afore alleged sums of money from the bail applicant. Consequently, the order made by this Court, on 01.12.2021, is made absolute.

6. Disposed of.

7. Dasti copy.

8. Pending miscellaneous application(s), if any, stand(s), disposed of.

(SURESHWAR THAKUR)
JUDGE

21.01.2022

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Whether speaking/reasoned:-	Yes/No
<i>Whether reportable:</i>	<i>Yes/No</i>