

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-49379-2019 (O&M)

Date of Decision:-26.8.2022

Vinit Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sahil Goel, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana,
assisted by SI Kamal Chand.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.446 dated 5.8.2019, Police Station Central Faridabad, District Faridabad, under Section 408 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 21.11.2019:

“Petitioner prays for pre-arrest bail in FIR No.446 dated 05.08.2019 registered under Section 408 of the Indian Penal Code at Police Station, Central Faridabad, District Faridabad.

Learned counsel for the petitioner, while referring to Annexure P-4, submits that the petitioner had resigned from the Company after settling the accounts in May 2019. A new Cashier appointed in place of the petitioner had taken over the charge by putting his

signatures evidencing taking over the charge. He further points out that even Branch Manager had counter signed settlement of accounts.

Notice of motion.

On the asking of Court, Mr.Vikas Chopra, DAG, Haryana accepts notice and prays for time.

List on 10.12.2019.

In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned counsel representing the petitioner has submitted that the petitioner has since joined investigation and that infact the matter also stands amicably resolved amongst the parties.
4. Learned State counsel, upon instructions from SI Kamal Chand, has informed that pursuant to interim directions, the petitioner has joined investigation, but the amount in question, which is somewhere to the tune of Rs.3.50 lakhs, has not been recovered. Learned State counsel has, however, informed that the petitioner is not involved in any other case.
5. Mr. Sahejdeep Singh, Advocate has put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record. He has endorsed the factum of compromise and has stated that he has no objection in case the petitioner is granted bail.
6. Having regard to the facts and circumstances of the case particularly while noticing that the petitioner has since joined investigation and the matter is

otherwise stated to have been compromised, the petition is accepted and the interim directions issued by this Court vide order dated 21.11.2019 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

26.8.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No