

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

210

CRM-M-30821-2023

Date of decision: 10.08.2023

Sandeep @ Sandeep Kumar

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Varun Sharma, Advocate for
Mr. Suvir Sidhu, Advocate, for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

AMAN CHAUDHARY. J.

1. On 07.07.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.23 dated 16.03.2023, registered under Sections 306 and 34 IPC at Police Station GRP Hisar, District GRP Ambala Cantt. (Annexure P-1).

Learned counsel inter alia contends that the petitioner was the Branch Manager of the company namely Light Micro Finance registered with the RBI, having a turnover of Rs.1,700/- crores along with 125 offices across India and a customer base of 3 lac women, who are financed by the company for the purpose of establishing their entrepreneurship. The deceased admittedly was working as a Field Officer of the company, whose role was to collect the instalments from the loanees. It is his categorical case that there were some amounts that he had received from the customers, however, the same were not deposited with the company. A complaint dated 22.02.2023 was submitted to the police by the petitioner against the deceased which was diarized on the same day. Prior thereto, there were disciplinary proceedings initiated against him in October 2022, Annexure P-3 and in response thereto, the deceased had also tendered apology, Annexure P-4. Ingredients of Section 107 IPC are not attracted. The deceased in his suicide note had named many other persons as well who according to him owed him money. However, in fact Rs.11 lacs were due to be paid by the deceased to the company. Co-accused Omprakash Sharma and Karambir Bhardwaj have joined the investigation upon having been granted interim anticipatory bail by this Court vide orders dated 12.04.2023 and 31.05.2023 respectively. The petitioner is not involved in any other case and is ready and willing to join

investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Praveen Bhadu, AAG Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 14.07.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of the conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 10.08.2023.”

2. Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has not only joined investigation but has also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from SI Harpal affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 07.07.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

10.08.2023

Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No