

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

CRM-M-34431 of 2022

Date of decision: 12th July, 2023

Joginder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Satbir Singh, Advocate for the petitioner.
Mr. Rajiv Sidhu, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. This is third petition seeking regular bail in FIR No. 40 dated 5.2.2022, under Section 408 IPC (Section 201 IPC added later on), registered at Police Station Asauda, Jhajjar.

2. The earlier petitions were not decided on merits.

3. The FIR was lodged by Sachin, employee of a liquor contractor. As per the allegations, petitioner Joginder was employed by the liquor contractor for collecting cash from the liquor shops. The petitioner collected the cash for the month of January, 2022 and did not deposit it in the office. Rs.14,50,000/- were recovered from the residential house of the petitioner. As per the case set up, the petitioner had not deposited Rs.25,00,000/-.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 14.2.2022, he is not involved in any other case. It is contended that as per the allegations in the FIR, the embezzled amount was alleged to be Rs. 55,00,000/- to Rs.60,00,000/- which subsequently scaled down to Rs.25,00,000/-. The submission is that Rs.14,50,000/- have already been recovered.

5. Learned counsel for the State on instructions from SI-Narinder

opposes the prayer for grant of bail and submits that there are specific allegations against the petitioner and Rs.14,50,000/- were recovered from him.

6. The observations made hereinafter shall not be construed as an expression of opinion on the merits of the case.

7. The petitioner is in custody since February, 2022. Though the investigation is complete, trial is likely to take time. The petitioner is not involved in any other case. The allegations in the FIR were exaggerated. The petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

12th July, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |