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

**CRM-M-33692-2023
Date of decision : 13.10.2023**

RAJEEV RANJAN

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. R.S. Mamli, Advocate for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana with SI Yogesh.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.0119 dated 27th of April, 2021 registered for the offences punishable under Sections 409, 419, 420, 467, 468, 471 of the IPC at Police Station Furrukh Nagar, District Gurugram.

2. As per the allegations levelled in the FIR, it has been alleged as under :

“To, The Police Commissioner, Police Head Quarter Gurgaon, Haryana. Sir, Complaint against staff Rajeev Ranjan, Dy. Manager (PF1259 Sector 9A Gurgaon being Branch Manager of State Bank of India Farrukhnagar I have competency and authority of lodge this complaint and seek the registration of an FIR against Rajeev Ranjan earlier posted in SBI Farrukhnagar. Rajeev Ranjan while posted in the Brancha as Field Officer he make fraud Rs.10305486/- one crore three lakh five thousand four

hundred eighty six only from Nove. 2017 to Nov. 2018. He raised unauthorized Debt in KCC account through cash withdrawals and Bank Transfer to other accounts on different dated. This investigation is recorded in our record folder No.04-2017-2018 Rs.10305486/-. As per instruction to our senior officers and audit report an FIR lodge against him as per Bank norms. Therefore, you are requested to lodge an FIR against him and proceed legal action. Yours faithfully Subhash Chand Branch Manager, Subhash Chand Taprania Branch Manager, State Bank of India, Farrukhnagar Ditt. Gurgaon.xxx”

2. Counsel for the petitioner contends that the petitioner has been falsely roped in the present case. The alleged fraud is stated to be committed from November, 2017 to November, 2018 and no fraud has been attributed in the audit report of the year 2017-2018. Apart therefrom, the petitioner was relieved from the concerned Branch in the year 2018 itself and therefore he can't be held responsible for such fraud. There is delay of more than 3 years in lodging the FIR. There is a considerable amount deposited by the farmers. Thus, the entries/transactions can't be done by sole person and the same have been passed through many hands but it is only the petitioner who has been made a scapegoat. Counsel further contends that the petitioner is in custody since 16th of March, 2023 and is a sole bread earner of his family. Thus, considering the overall circumstances he be released on bail.

3. Per contra, State Counsel opposes the prayer of the petitioner by submitting that the petitioner being Bank Officer is duty bound to protect the borrowers from any sort of fraud and in alternate he himself has

fraudulently misappropriated the hard-earned money of innocent farmers.

Thus he is not entitled for grant of bail .

4. I have heard counsel for the parties and have carefully gone through records of the case.

5. The question : '*as to whether the offences are purely triable by the Magistrate or not?*' cannot not be argued at this stage keeping in view that the petitioner is accused of having committed offences punishable under Sections 467 IPC which entails life imprisonment as well.

6. Admittedly, 13 out of 62 cited witnesses have been examined which shows that the trial is proceeding and thus there is nothing on record for this Court to make out a case that the right of the petitioner for expeditious trial guaranteed under Article 21 of the Constitution of India is being denied. Further, pleading raised by counsel for the petitioner that there is considerable amount deposited by the farmers cannot be considered at this stage while considering the regular bail.

7. Keeping in view the seriousness of the allegations levelled against the petitioner and the fact that he is responsible officer of the bank, this Court is not inclined to grant him relief of bail at this stage.

8. Resultantly, the present petition is dismissed.

October 13, 2023

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No