

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

CRM M-34200-2023 (O&M)

Date of Decision: 06.09.2023

Surjeet Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ivneet Singh Pabla, Advocate, for the petitioner.

Mr. Surinder Dagar, DAG, Haryana
for the respondent.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.420 dated 03.07.2023, under Sections 409 and 420 of the Indian Penal Code, 1860 (for short “IPC”), registered at Police Station Shahabad, District Kurukshetra.

2. As per allegations levelled in the FIR, petitioner along with co-accused Anangpal, being the Manager and Clerk respectively of the Tangore Cooperative Credit & Service Society Limited, embezzled an amount of Rs. 62 lakh and out of that, a sum of Rs.62,62,431/- is stated to have been deposited by the petitioner.

3. This Court vide order dated 20.07.2023, granted interim bail to petitioner and the same reads as under:-

“Learned counsel for the petitioner submits that as per allegations in the FIR itself, an amount of Rs. 62,62,400/- was deposited by the petitioner and a receipt to that effect was issued by the quarter concerned. Also contends that matter was closed by the competent authority; thus, present proceedings are nothing, but misuse of the police powers.

Learned State counsel seeks time to have instructions in the matter.

Posted on 06.09.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from SI Richhpal and fairly submitted that custodial interrogation of the petitioner is not required at this stage.
6. In view of the above, interim order dated 20.07.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending application(s), if any, shall also stand disposed off.

06.09.2023

jyoti3

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether Reportable:

Yes/No