

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40647 of 2020(O&M)
Date of Decision: 16.03.2023

Manjeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. P.K.S. Phoolka, Advocate
For the petitioner.**

Mr. Naveen Kumar Sheoran, DAG Haryana.

**Mr. Vivek Sethi, Advocate
For the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 306 dated 31.08.2020, registered under Sections 198, 406, 409 and 420 IPC at Police Station City Mandi Dabwali, Sirsa.

The allegations in nutshell are that the complainant who was working as Area Manager in a finance company lodged complaint with the police that petitioner who is also working in the said finance company embezzled amount of Rs.13,44,000/- while another employee Shobika embezzled Rs.6,00,000/-, Jasveer embezzled Rs.1,00,000/-, Angrej Singh committed embezzlement of Rs.5670/- and Kailash Kumar embezzled amount of Rs.24360/-.

A detailed order was passed on 07.12.2020 by the Co-ordinate Bench whereby interim bail was granted to the petitioner with a direction to join the investigation, with the understanding that the petitioner has already deposited Rs.6,00,000/- with a further undertaking to deposit another Rs.3,00,000/- within a period of four weeks.

The counsel for the petitioner submits that the petitioner has joined the investigation and he also deposited Rs.3,00,000/- with the police in compliance of the aforesaid order of interim bail.

The petition is contested by the counsel for the complainant who submits that the petitioner being employee of the finance company where he was working, embezzled Rs.13,44,000/-, out of which till date he deposited an amount of Rs.4,15,425/- with the finance company and another Rs.3,00,000/- with the police.

The State counsel, on instructions from SI Tara Chand submits that in compliance of the order dated 07.12.2020 the petitioner joined the investigation and also deposited an amount of Rs.3,00,000/-. The State counsel further submits that now the petitioner is not required by the police for the purpose of further investigation.

I have considered the submissions made by counsel for the parties.

The counsel for the petitioner has failed to produce any receipt regarding deposit of Rs.1,85,000/- with the finance company. So, apparently it appears that the petitioner has in total deposited an amount of Rs.7,15,425/-, out of the disputed amount of Rs.13,44,000/- which is alleged

to be embezzled by him. Admittedly, the petitioner is not required by the police for any further investigation

In the given circumstances, no purpose is going to be served by subjecting the petitioner to custodial interrogation at this stage.

Thus, without commenting on the merits of the case present petition is allowed and order of interim bail dated 07.12.2020 is hereby made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

16.03.2023

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(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No