



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(212) CRM-M-28039-2024(O&M)
DATE OF DECISION:10.12.2024

Mohit KumarPetitioner

VERSUS

State of HaryanaRespondent

CORAM HON’BLE MR.JUSTICE KULDEEP TIWARI

Present Mr.Vishal Goel, Advocate,
for the petitioner.

Mr. Bhupinder Singh, DAG, Haryana.

KULDEEP TIWARI, J (ORAL)

1. On 31.05.2024, Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.289 dated 15.07.2023, under Sections 406, 420, 468 and 471 of IPC, registered at Police Station Chandimandir, District Panchkula.

FIR was lodged on the complaint of Regional Manager, Regional Business Officer, Sector 5, Panchkula of the State Bank of India, as per which during the scrutiny of various loan accounts, it was found that several credit entries had been made in the account of Gurpreet Singh from the account of borrowers. It was found that loans were first sanctioned and credited in the saving account and subsequently amounts were transferred in the saving account of Gurpreet Singh and also the high value credit transactions in the account of Mohit Kumar



(petitioner). The amount, purported to be lent to Parminder and Kulwinder, went to the account of the petitioner.

Learned counsel for the petitioner contends that he has been falsely implicated; that it is the regular employees of the bank, who committed the fraud. Learned counsel contends that total amount of Rs.5,59,000/- has been received in his account, out of which he has already transferred an amount of Rs.2,92,000/- in the account of Gurpreet Singh.

However, it is conceded by learned counsel that said Gurpreet Singh is the co-accused and not the borrowers.

Faced with this situation, learned counsel for the petitioner submits that petitioner may be granted 02 days time and that he shall deposit the entire amount of Rs.5,59,000/- in the name of complainant-bank.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Considering the undertaking made by learned counsel for the petitioner, it is directed that upon deposit of Rs.5,59,000/- in the account of the complainant-bank, on or before 05.06.2024 by the petitioner, he shall be admitted to interim bail to the satisfaction of Arresting Officer, subject to the condition that he shall join the investigation and co-operate in the same. He will not leave the country without prior permission of the Court. In the event of the arrest of the petitioner, he shall be released on



interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

It is made clear that in case, the amount of Rs.5,59,000/- is not deposited by the petitioner in the account of complainant-bank by 05.06.2024, as per undertaking made above, he shall not entitled for the interim anticipatory bail as above.

Adjourned to 22.08.2024 for filing status report.”

2. Status report to the instant petition has been filed, which reflects that the petitioner had deposited the demand draft amounting to Rs.5,59,000/- in favour of the complainant bank.

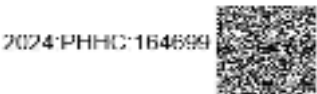
3. In view of the above, the hereinabove extracted interim order dated 31.05.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.



5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

10.12.2024
mamta

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No