



CRM-M-28016-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201(2)

CRM-M-28016-2024
Date of Decision: 11.11.2024

HARDEVINDER SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURBIR SINGH, J (ORAL)

1. The prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.155 dated 18.05.2024 registered under Sections 120-B, 420, 467, 468, 471 IPC registered at Police Station Sector-5, Panchkula District Panchkula.
2. Vide order dated 09.07.2024, this Court had granted interim bail to the petitioner and directed him to join investigation. The same is reproduced as under:-

“ The prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.155 dated 18.05.2024 registered under Sections 120-B, 420, 467, 468, 471 IPC registered at Police Station Sector-5, Panchkula District Panchkula.

Learned counsel for the petitioner inter-alia submits that petitioner was Clerk in the Haryana State Cooperative Labour Construction Federation Limited and later on promoted to the post of Deputy



Superintendent. He further submits that certain amounts were transferred unintentionally due to negligence and the entire amount which was wrongly transferred was deposited before the registration of the FIR. The entire case is based on documentary evidence.

Notice of motion for 23.10.2024

Mr. Karan Sharma, DAG, Haryana appears and accepts notice on behalf of the respondent-State. He seeks some time to file status report. A copy of the paper book be supplied to him during the course of the day. On asking, learned State counsel fairly admits that the amount which was transferred by the petitioner has already been deposited. He further submits that custodial interrogation of the petitioner is required.

Keeping in view that at the most, it is a case of temporary embezzlement; amount transferred was already deposited even prior to the registration of FIR and the case is based on documentary evidence which are in possession of the Department, so petitioner is directed to join the investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required:

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite.”

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3. Status report by way of an affidavit of Surender Singh, HPS, Assistant Commissioner of Police, Panchkula has been filed by the learned State counsel. On instructions from ASI-Satish, he further submits that in compliance of order dated 09.07.2024, petitioner has joined investigation and he is not required for any custodial interrogation.

4. I have heard learned counsel for the parties.

5. In view of the fact that the petitioner has joined investigation and his custodial interrogation is not required, the order dated 09.07.2024 granting interim bail to the petitioner is made absolute. The petitioner shall abide by the conditions as laid down under Section Section 438(2) Cr.P.C in letter and spirit.

6. Petition stands disposed of accordingly.

11.11.2024*renu***(GURBIR SINGH)
JUDGE****Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No**