**(2021) 01 P&H CK 0072**

**In the Punjab And Haryana At Chandigarh**

**Case No :** Criminal Miscellaneous Petition (M) No. 697 Of 2021 (O&M)

Sunil Kumar Verma APPELLANT

Vs

Central Bureau Of Investigation RESPONDENT

**Date of Decision :** 08-01-2021

**Acts Referred:**

Indian Penal Code, 1860 — Section 120B, 420
Prevention Of Corruption Act, 1988 — Section 13(2), 13(1)(d)

**Citation :** (2021) 01 P&H CK 0072

**Hon'ble Judges :** Jaishree Thakur, J

**Bench :** Single Bench

**Advocate :** Amandeep Singh Talwar

**Final Decision :** Disposed Of

# Judgement

Jaishree Thakur, J

This is a petition that has been filed for grant of anticipatory bail in FIR No.RCCHG2017A0018 dated 14.09.2017, registered under Sections 420 &

Section 120-B of Indian Penal Code and Section 13(2) read with 13(1)(d) of Prevention of Corruption Act.

Learned counsel appearing on behalf of the petitioner herein would contend that the matter has been thoroughly investigated on several occasions,

subsequent to which a charge-sheet already stands filed. It is argued that the FIR itself would not be maintainable as admittedly the money received

by the LIC agents stands deposited with the Axis Bank. It is contended that the agents of LIC collected money on behalf of LIC and deposited the

same and the petitioner herein has no concern with the collection of money. It is also submitted that the petitioner herein is only the Manager and the

accounts are managed by other persons. It is also submitted that during investigation, no cash has been recovered from the petitioner and therefore, it

cannot be said that he is guilty of any misappropriation of funds.

Notice of motion.

At this stage, Mr. Rajeev Anand, Advocate, who is present through the medium of video conference, accepts notice on behalf the respondent-CBI

and vehemently argues that even though the petitioner has joined investigation and the charge-sheet has been presented, the petitioner herein would be

in a position to influence the witnesses and therefore, his custody would be required to ensure that he does not tamper with the documents or influence

the witnesses. It is also contended that the name of the petitioner has been specifically mentioned in the FIR as a person, who had accompanied the

LIC agents to deposit money, after demonitization has taken place.

I have heard learned counsel for the parties and have gone through the pleadings of the case and find that the petitioner herein had joined investigation

with the CBI as and when required. Admittedly, the challan has already been presented in Court and the investigation in the said matter is complete.

On the asking of the Court, learned counsel appearing for the CBI informs that the material witnesses would be official and therefore, this Court is of

the opinion that the petitioner herein would not be in much of a position to influence them. Even if the petitioner makes an attempt to influence the said

witnesses, CBI always has the recourse of moving an application for cancellation of bail for violating the terms and conditions of the bail so granted.

Consequently, this petition is disposed of by directing the petitioner herein to put in an appearance before the Special Judge, CBI, Punjab, SAS Nagar,

Mohali on the date he has been summoned, on which date, in case he moves an application for bail, he will be admitted to bail, subject to furnishing

personal/surety bond to its satisfaction.

 