



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2026:PHHC:047486

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(117)

CRM-M-73001-2025

Date of Decision: 25.03.2026

Tumaru Hari @ T Hari @ Tumari Hari

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. D.S. Saini, Advocate for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ.J (Oral)

1. The present first petition has been filed praying for grant of regular bail to the petitioner in case FIR No.77 dated 23.04.2021, under Sections 420, 409 IPC, registered at Police Station City Rupnagar, District Rupnagar.

2. Succinctly the facts of the case are that FIR in the present case was lodged on the statement of Pritpal Singh, wherein it was stated that he had got sanctioned loan of Rs.7 lakh from Andhra Bank, Rupnagar after mortgaging his land out of which he had withdrawn an amount of Rs.3 lakhs when he went to withdraw the remaining Rs.4 lakhs, the attending bank employee said that the earlier officer had wrongly prepared the limit and the same had ceased. Later on, complainant came to know that the bank employees had withdrawn Rs.4 lakhs from his account. Therefore, Complainant received a phone call from bank employee namely Hari Ram (present petitioner) regarding withdrawal of the amount of Rs.4 lakhs and he kept on taking time regarding returning the same. Said Hari Ram i.e. the present petitioner had returned Rs.65,000/- to the complainant. Thus,



request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 14.08.2025. He approached the Court of learned Additional Sessions Judge, Rupnagar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 16.12.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He contends that in the present case the FIR has been lodged after 10 months of the alleged occurrence. It is submitted that petitioner is behind bars for the last more than 07 months, the investigation is complete and charges have already been framed. To buttress his arguments, he submits that petitioner has no criminal antecedents and he, thus, prays for grant of regular bail to the petitioner.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that the petitioner being a bank employee has embezzled public money by misusing his official position. He submits that petitioner has committed an embezzlement of Rs.4 lakhs out of which he had only returned Rs.65,000/-. Learned State counsel, on instructions, submits that out of the total 12 prosecution witnesses, only one witness has been examined. He has produced the custody certificate of the petitioner on record.



5. On hearing counsel for the parties and perusing the record, it is deciphered that admittedly, the petitioner was a bank employee. The FIR in the present case was lodged after 10 months of the date of occurrence. As per instructions received by learned State counsel only one out of 12 prosecution witnesses has been examined till date. As per the custody certificate produced by State, petitioner has undergone an actual custody period of 07 months and 08 days as on 24.03.2026 and he is not involved in any other case.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

25.03.2026
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No