

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. M-31468 of 2015

Date of Decision:- 19.10.2015

Chhaju Ram

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

**Present: Mr. T.S. Sangha, Senior Advocate
with Mr. H.S. Sangha, Advocate
for the petitioner.**

**Mr. Varun Sharma, A.A.G., Punjab
for the State.**

SHEKHER DHAWAN, J.

Present petition filed by petitioner under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.85 dated 02.07.2015, under
Section 409 IPC, registered at Police Station Sardulgarh, District Mansa

2. Learned counsel for the petitioner submitted that petitioner had
40 years service of unblemished record and thereafter retired from service.
His retiral benefits were not being paid by the Government. As and when
he started taking recovery action for recovery of the same, he was trapped
in this false case. More so, the petitioner has already joined the
investigation and no recovery is to be effected from him. So, he be released
on anticipatory bail.

3. Learned State counsel as well as learned counsel for the complainant submitted that there are clear cut allegations of embezzlement, as petitioner has shown certain payment of funds and litigation expenses etc. but no such payment was ever made by him as secretary of the society. The said amount is yet to be recovered from the petitioner and for that purpose his custodial investigation is required. This fact had also come in the re-audit that petitioner has embezzled a sum of ₹27,00,000/-. So, it is not a case of release of petitioner on anticipatory bail and petition be dismissed.

4. Having considered the facts that the allegations being serious in nature and regarding misappropriation of funds of the society, recovery is yet to be effected and for that purpose further custodial investigation is required. No case is made out for release on bail.

5. Accordingly, the present petition for anticipatory bail stands dismissed.

October 19, 2015
naresh.k

(**SHEKHER DHAWAN**)
JUDGE