

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM NO. M-40913 OF 2014(O&M)
DECIDED ON : 06.01.2015**

Chamma Devi Chaturvedi and another

...Petitioners

versus

State of U.T Chandigarh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. Aman Bansal, Advocate,
for the petitioners.

Ms. Ashima Mor, Advocate,
for U.T. Chandigarh.

Mr. D. S. Sandhu, Advocate,
for the complainant.

K. C. PURI, J.

Chamma Devi Chaturvedi and Boleshwar Nath Chaturvedi have applied for grant of anticipatory bail in FIR No. 495 dated 30.08.2013 under Sections 408/ 420/ 467/ 468/ 471/ 120-B of the Indian Penal Code (in short "the IPC") registered at Police Station Sector-17, Chandigarh.

This is second bail petition. The earlier bail petition was dismissed vide order dated 30.07.2014 passed in CRM No. M-6688 of 2014.

The petitioner, thereafter, approached the Hon'ble Apex Court vide Special Leave to Appeal (Crl.) No. 7669/2014 and argued before the Hon'ble Apex Court that Naveen Chaturvedi has been allowed the concession of bail by the trial court and further prayed that he would like to file fresh bail application before this court for bringing facts to the notice of this court that Naveen Chaturvedi (main accused) has been allowed the concession of regular bail. The Hon'ble Apex Court in the said order dated 27.10.2014 observed that in case fresh bail application is moved before this court, this court may take into consideration the fact that principal accused has been released on bail and may pass appropriate order.

The allegations in the FIR are that Naveen Chaturvedi was an employee of M/s Premier Acres Insfratect Private Limited and he has embezzled a sum of ₹54 lacs. The modus operandi indicated was to short deposit the funds of the company in the bank and thereby to divert the funds in his own account and transfer some of the money in the name of petitioners. It is further alleged that during the sale proceedings, Naveen Chaturvedi has purchased a house at Mathura and a sum of ₹12 lacs was received through RTGS through State Bank of India in the account of Chamma Devi Chaturvedi (petitioner No.1). The other amounts were also diverted to the account of Bholeshwar Nath Chaturvedi (petitioner No.2) as detailed in the order dated 30.07.2014 passed by this court and all the bank transactions

were considered by this Court and ultimately, this Court came to the conclusion that the petitioners are not entitled to concession of anticipatory bail.

The only point urged before this court is that Naveen Chaturvedi has been allowed the concession of regular bail. In my view that is not a ground for grant of concession of anticipatory bail to the present petitioners. Naveen Chaturvedi was granted bail after he remained in custody for a sufficient long period.

So far as the present petitioners are concerned, a huge amount has been diverted relating to the company in their accounts. The grant of bail to the petitioners at this stage, shall hamper the investigation. The embezzled amount is yet to be recovered. So, the petitioners are not entitled to grant of anticipatory bail.

Consequently, the petition is without any merit and the same stands dismissed.

JANUARY 06, 2015
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(K. C. PURI)
JUDGE