

Sr. No.112

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-20177 of 2016 (O&M)

Date of Decision: 03.06.2016

Deepak Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Gaurav Sethi, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.195 dated 08.03.2016, under Sections 409/ 420/ 467/ 468/ 471/ 120-B of Indian Penal Code, registered at Police Station Karnal, Civil Lines District Karnal.

Allegations stem out of an audit exercise relating to expenditure of the National Dairy Research Institute (NDRI), Karnal on a particular project.

Precise allegation against the present petitioner who is working as a Clerk in NDRI, Karnal is with regard to embezzlement of Rs.1 lac. As per audit exercise, the petitioner had prepared forged vouchers and on the basis of which Rs.1 lac was credited in his account and shown towards travelling allowance charge. There is also an allegation against the petitioner with regard to having withdrawn amount of salary in respect of the employees who had not even appointed, be it on contractual basis.

During the course of arguments, it has been contended that the

petitioner was merely a Clerk and would have no dealings with the Accounts Section.

Be that as it may, counsel has not been able to rebut the observations contained in the order dated 21.05.2016, passed by the learned Additional Sessions Judge, Karnal declining the anticipatory bail that the petitioner even though appointed as Clerk had been assigned duties in the Accounts Branch also.

On a specific query having been put to the counsel, the amount of Rs.1 lac credited in the account of the petitioner has been conceded. No justification with regard to source of such funds which has been deposited by cheque and credited into the account of the petitioner is forthcoming.

Under such circumstances, this Court is not inclined to insulate the petitioner with a concession of pre-arrest bail.

Allegations are categoric and serious. The same would require a deep and thorough probe and for which custodial interrogation of the petitioner may well be warranted.

Petition is dismissed.

03.06.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE