

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

CRM No. M-32262 of 2015 (O&M).

Decided on: 01.08.2016.

Sanjeev Singla

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sanjiv Gupta, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Mukhtiar Singh.

Ms. Deepali Puri, Advocate,
for respondent No.2.

JITENDRA CHAUHAN.J.(ORAL)

By filing this petition, under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No.32 dated 01.11.2013 under Sections 406, 409, 415 and 120-B read with Section 34 IPC registered at Police Station Thulliwal, District Barnala.

On 06.11.2015, this Court had passed the following order:-

“The affidavit in pursuance of the order dated 04.11.2015 filed in the Court is taken on record. As per the affidavit, the petitioner has balance stock of 5800 bags. After selling the same, the petitioner would be able to discharge his liability.

The learned counsel for respondent No.2 has also filed the affidavit of District Manager, PUNSUP, Barnala. The same is taken on record. As per the affidavit, the respondent No.2-PUNSUP had initiated arbitration proceedings in terms of the order passed by the Arbitrator under Section 17 of the Ac. Accordingly, the claim of Rs.11,57,80,961/- as on 31.07.2012 reduced to Rs.1,77,57,264/- as on 31.08.2013.

On the other hand, the learned State submits that the petitioner has been declared proclaimed offender on 05.11.2015 by the Court of JMIC, Barnala.

The learned counsel for the petitioner states that he is not aware of his being declared proclaimed offender. He seeks some time to seek instructions and address arguments.

Post again on 04.12.2015.”

Thereafter, the matter has come up before this Court on various dates but no payment has been made by the petitioner after 06.11.2015. Therefore, the Court feels that the affidavit dated 05.11.2015, sworn by the petitioner lacks bonafide. Accordingly,

keeping in view the huge amount allegedly embezzled by the petitioner,
no case for grant of anticipatory bail is made out.

Consequently, the petition stands dismissed.

01.08.2016.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No