

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

202

CRM-M-19319-2017

Decided on : 26.07.2017

Vinod Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE RAMENDRA JAIN

Present : Mr.Vipin Mahajan, Advocate
for the petitioner.

Mr.B.S.Baath, DAG, Punjab.

Ramendra Jain, J. (Oral)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of pre-arrest bail to the petitioner in case FIR No.44, dated 12.05.2017, under Sections 408, 420, 465, 467, 468, 477-A/120-B, IPC registered at Police Station Sadar, Gurdaspur.

The allegation against the petitioner is for embezzlement and misappropriation of amount of Rs.14,29,873/- while he was serving as Incharge of Assessory Stock in the Agency of the complainant by misusing stock in conspiracy with one Monu and one spare parts Manager, Ankur Saini.

Learned counsel for the petitioner contends that in pursuance of order dated 26.05.2017, the petitioner has joined the investigation and nothing has been recovered from him. Monthly check list was signed by the various other officers according to which, the spare parts under the custody of the petitioner were found to be in order and the present false FIR was registered after one year of his resignation.

On the other hand, learned State counsel has vehemently

opposed the bail application by urging that Chartered Accountant appointed by the Superintendent of Police, Gurdaspur has reported that there was part of the stock missing, leading to loss of Rs.14,29,873/-.

Considering overall facts and circumstances of the case that the loss/misappropriate of amount as occurred during the tenure of the petitioner while working as Assessory Incharge, the petitioner does not deserve for anticipatory bail inasmuch as he is required for custodial interrogation to recover the embezzled amount.

Dismissed.

Nothing observed here-in-above, shall be construed as an expression of opinion on the merits of the case.

26.07.2017
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[**Ramendra Jain**]
Judge