

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20073-2017

Date of decision: 06.10.2017

Akashdeep Sandal

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Sarju Puri, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Mukul Goyal, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

1. Through the instant petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to petitioner-Akashdeep Sandal, in case FIR No. 24 dated 22.02.2017 registered under Sections 406, 408 and 420 IPC at Police Station City Nawanshahar, District SBS Nagar.

2. Learned counsel for the petitioner contends that the real culprit for usurping the disputed amount is one Deepak Gill, who was the Manager of the branch at Nawanshahar. He used to deposit all the money with the complainant-Company, after collecting the same from the petitioner. The petitioner did not usurp even a single penny. He has already joined the investigation in terms of order dated 24.07.2017 of this Court and nothing has to be recovered from him. There is a delay in lodging the FIR.

3. On the other hand learned State counsel assisted by learned counsel for the complainant contends that though the petitioner has joined

the investigation, but did not repay even a single penny against the

embezzled/usurped amount of ₹ 5,24,628/- collected by him from the shops being a Daily Sales Executive (DSE) of the complainant-company. She also contends that the petitioner by way of an affidavit has admitted his liability to the aforesaid extent, but now has become dishonest after getting the relief of anticipatory bail.

4. Considering the overall circumstances and the fact that the petitioner, despite executing an affidavit admitting his liability to the extent of ₹ 5,24,628/- collected by him as DSE of the complainant-company, did not repay even a single penny, does not deserve the concession of anticipatory bail. Accordingly, the instant petition is dismissed.

October 06, 2017

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No