

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

CRM-M-3030 of 2017 (O&M)

Date of decision: 23.05.2017

Rohit Sethi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Nikhil Bhatia, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Nakul Sharma, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 65 dated 08.09.2016, registered under Sections 406, 420, 467, 468, 471, 211 and 120-B of IPC, at Police Station Mallwanwala, District Ferozepur.

It is contended that petitioner has been falsely implicated in the instant case. He is neither a beneficiary nor any amount has been embezzled by him.

On the other hand, the learned State counsel as well as learned counsel for the complainant oppose the bail application and

state that the petitioner in connivance with co-accused Dalbir Singh has misappropriated public money.

Heard.

As per FIR, the precise allegations against the petitioner is that he being the area Collection Manager of the company used to collect money against receipt and further used to deposit the same in the company's account. However, he in connivance with co-accused put his signatures on some receipts as Manish Kumar, the earlier employee of the company and misappropriated about Rs. 16 lakh of public money. The amount against which the receipts were issued was not deposited in the account of the company. The receipts pertains to receipt book which was issued by the petitioner to co-accused. The amount is yet to be recovered. Keeping in view the above, this Court feels that it is a fit case where custodial interrogation of the petitioner is required to know his modus operandi. Therefore, no case for pre-arrest bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

23.05.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No