

CRM-M-36457-2016

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

CRM-M-36457-2016 (O & M)

Date of Decision:25.07.2017

Rakesh Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rai Singh Chauhan, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Rakesh Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.57 dated 28.07.2016, registered at Police Station Division No.1, Panthankot, under Sections 408 and 34 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that FIR, in the present case, has been got registered by Pankaj Kumar, Manager in Scientific Security Management Services (Pvt.) Ltd., E-I, Mansarover Garden, New Delhi, who stated that they have employed three persons namely Bhagwan Dass,

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Rakesh Kumar and Neeraj Kumar for the work of loading cash in ATM Machines, as it was done by the employees of their company and there are approximately 18 ATM machines of State Bank of India etc. As per the prosecution allegations, there was embezzlement of ₹3 crores. The present petitioner is the employee of the said company and is named in the FIR.

Keeping in view the nature and gravity of the offence; in view of serious allegations against the petitioner and in view of the facts that recovery is yet to be effected and custodial interrogation of the petitioner is necessary, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

25.07.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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