

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-13861-2018(O&M)

Date of Decision: 18.04.2018

Mandeep Kaushik

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Bhuvan Vats, Advocate for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Instant petition has been filed under Section 438 Cr.P.C seeking concession of anticipatory bail to the petitioner in case FIR No.32 dated 1.3.2018 under sections 420, 409 I.P.C, registered at Police Station, Lehra, District Sangrur.

Counsel for the parties have been heard at length.

Petitioner was the Secretary of the Ramgarh Sandhua Multipurpose Cooperative Society. Precise allegations are with regard to embezzlement of funds of Rs.4 lacs approximately.

Apparently, the embezzlement in question came to light in pursuance to an audit exercise for the check period 1.4.2015 to 31.3.2016.

Prayer for pre-arrest bail is pressed by counsel on the ground that petitioner had been placed under suspension on 29.5.2015 and the audit report did not contain the details with regard to the precise dates on which the alleged embezzlement had taken place.

Learned State counsel on instructions from ASI Parshottam

Ram has apprised the Court that even though, petitioner has been placed

under suspension on 29.5.2015 but in actual terms the charge of the post of Secretary of the society had been handed over only in December, 2015.

State counsel has also adverted to material collected by the investigating agency and which would prima facie indicate that money was collected by the petitioner on behalf of members of the society under his signatures in the pass books of the members but corresponding deposits were not made and neither were the entries made in the day book/ledger register of the society.

As per prosecution, this was the precise *modus operandi* adopted by the petitioner and till date entries in the pass books made under the signatures of the petitioner reflect an amount of Rs.19,000/- approximately.

Allegations against the petitioner are serious in nature. Counsel for the petitioner has not been able to rebut the stand taken on behalf of the State that petitioner had not relinquished the charge of the post of Secretary w.e.f. the date of suspension i.e. 29.5.2015.

Public money is involved. It is a matter which requires a deep and thorough probe and which may well entail custodial interrogation of the petitioner.

For the reasons recorded above, this Court is not inclined to insulate the petitioner with an order of pre-arrest bail.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

18.04.2018

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No