IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-17217 of 2017 (O&M)
Date of Decision: August 14, 2018

Amit Chadda

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ravi K. Matoo, Advocate
for the petitioner.

Mr.Karanbir Singh, AAG, Punjab
for the respondent-State.

Mr.Amit Parashar, Advocate for
Mr.Sunil Narang, Advocate
for respondent No.2.

Mr.Vishan Nehra, Advocate
for the complainant.

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INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.25 dated 11.03.2017 under Sections 409, 420, 120-B IPC and Sections 13 and 2 of the Prevention of Corruption Act, registered at Police Station Dasuya, District Hoshiarpur.

Notice of motion was issued. Learned State counsel, learned counsel for respondent No.2 as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

From the record, I find that FIR has been got registered by one Vijay Sharma. As per the FIR, complainant opened an account in HDFC Bank, Dasuya Branch and in this account, his son transferred money from abroad. Complainant and his family members also deposited their hard earned money amounting to ₹69 lakhs. F.D.s were prepared in the names of complainant, Anurag Rakhra, Jiwan Joti, Romila Devi. The above money was deposited jointly in the name of all family members of the complainant. It is further in the FIR that complainant opened a joint account with his younger son, from which, they purchased four policies. The bank officials in connivance with each other, issued fake policies on different dates and against them, no action has been taken. Complainant also stated that he had deposited ₹10,90,000/- in his account and receipt of the same was given by present petitioner Amit Chadda, Cashier but money was not deposited in his account.

At the time of arguments, learned counsel for the petitioner argued that ₹7 lakhs was deposited in the account of the complainant and then ₹2.90 lakhs was deposited in the account of complainant's son to save complications of income tax, at the oral request of the complainant. If it is taken as true, even then, there is no explanation regarding ₹1 lakh out of that amount.

Learned counsel for the petitioner contended that petitioner had returned ₹1 lakh to the complainant at his oral request. The transactions are of the bank, which deals with financial transactions. When the receipt has been given by the petitioner of ₹10,90,000/-, then this amount has to be deposited in the bank or receipt should have been taken back immediately.

Keeping in view the facts and circumstances of the present case and in view of the serious allegations against the petitioner, I find that he is required for custodial interrogation and no ground is made out for grant of anticipatory bail to him.

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

The order dated 26.09.2017 granting interim bail to the petitioner stands vacated.

However, nothing stated above, shall constitute my opinion on merits of the case.

August 14, 2018 **(INDERJIT SINGH)**
Vgulati **JUDGE**

Whether speaking/reasoned **Yes**
Whether reportable **No**