

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-35946 of 2018
Date of Decision: 18.09.2018

Nirmal Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. S.S. Rangi, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.159 dated 02.06.2018 registered for offences punishable under Sections 408/420 of Indian Penal Code, at Police Station City Rajpura, District Patiala.

Heard.

Learned State counsel on instructions from ASI Bahadur Ram submits that as per investigation carried out so far petitioner was an employee of complainant, who was running a finance company. The petitioner had been dealing with clients of complainant. It has transpired during investigation that he opened accounts in the name of some persons showing that loan was advanced to them while no such loan was advanced.

In the same manner he had been getting money from various persons but not depositing the same in the account of complainant's firm. Custodial

interrogation of the petitioner is required to confront him with evidence collected so far.

Learned counsel for the petitioner argues that petitioner has never taken money from any client. The allegations against him are false.

Learned counsel for complainant submits that the petitioner was maintaining a diary, which is now in possession of complainant, in which he has made all the entries regarding payments made to different persons and received from them, which do not talley with account of the firm. He is to be confronted with entries made by him during his custodial interrogation.

Keeping in view allegations against the petitioner, investigation carried out so far and statements of witnesses recorded by the investigating officer, I am of the opinion that custodial interrogation of the petitioner is required to confront him with facts that have come on file during investigation. No reason is made out to extend the benefit of anticipatory bail to petitioner at this stage.

Dismissed.

September 18, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No