

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-50999 of 2018
Date of Decision: 18.12.2018

Satnam Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Deepak Aggarwal, Advocate
for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

This is second petition filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.63 dated 23.03.2018 registered for offences punishable under Sections 409 of Indian Penal Code, at Police Station Nathana, District Bathinda.

FIR was registered against the petitioner under the orders of Deputy Superintendent of Police, Sub Division, Bhuchho, Bathinda for misappropriation of ₹14,11,050/- lying in *malkhana*.

This fact is not disputed that the petitioner was custodian of money lying in the *malkhana* and he has given the same to Inspector Harbans Singh, SHO of the police station. The plea raised is that the petitioner was subordinate to Inspector Harbans Singh, SHO, who has taken the money from him with the promise to return but later on became dishonest.

The above plea taken in this second bail application is not a

circumstance which dilute the commission of offence by the petitioner after passing earlier of order dated 07.05.2018 in CRM-M-17028-2018.

Learned counsel for the petitioner further submits that the offence under the provisions of Prevention of Corruption Act have now been deleted by the investigating officer.

This again is not a circumstance which dilute the commission of offence by the petitioner in any manner.

No reason is made out to allow the instant petition, which has no merit.

Dismissed.

December 18, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No