

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-25762-2018 (O&M)

Date of decision: 29.04.2019

Sohan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Nikhil Batta, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

The petitioner is praying for grant of anticipatory bail in FIR No.50 dated 16.05.2018 under Sections 408, 380 of the Indian Penal Code, registered at Police Station Bakshiwal, District Patiala.

It is not in dispute that pursuant to the order dated 13.06.2018, the petitioner had joined the investigation wherein the petitioner is alleged to have admitted the factum of misappropriation of the amount. The investigating agency has produced before this Court affidavit dated 16.01.2018 wherein the petitioner had admitted his liability.

Learned counsel for the petitioner submits that the complainant in the present case is a retired Superintendent of Police. He has also drawn attention of the Court to Annexure P-6 i.e. Form 'C' to prima facie established that the petitioner is running a Sarao tent and catering service and the allegations made in the FIR that the petitioner was an employee of

the complainant, are false.

Now at present, the dispute is qua recovery of Rs.10,00,000/- which is alleged to have gone missing from the cub-board. The prosecution has not collected any material except affidavit and the application submitted by the petitioner, which is alleged to be under police pressure, proving that the petitioner was ever employed with complainant i.e. retired Superintendent of Police.

Without commenting on the merits of the case, the interim protection granted to the petitioner on 13.06.2018 is made absolute.

Accordingly, the present petition is allowed.

29.04.2019
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No