

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 203

Criminal Miscellaneous No.M-30805 of 2018 (O & M)
Date of Decision: *February 25, 2019*

Amarpal

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

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PRESENT: - Mr. Yagyaang Ajay, Advocate, for Mr. G.S. Madaan,
Advocate, for the petitioner.

Ms. Amarjit Kaur Khurana, Deputy Advocate
General, Punjab.

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Ajay Tewari, J

This is a petition for anticipatory bail in case FIR No.180
dated 05.06.2017 under Section 408 IPC registered at Police Station, City
Jagraon, District Ludhiana.

The allegation against the petitioner was that he was
working in the company called S.I.S. Company, Ludhiana, whose job was to
maintain the currency balance in ATMs. Following the demonetization in
2016, he was deputed to collect the old currency from different ATMs. From
the ATM of Axis Bank Limited at Jagraon, he withdrew an amount of

₹ 18,50,300/- and did not deposit the same. On being confronted, he gave four cheques to repay the entire money but only a sum of ₹ 1,50,000/- could be collected.

The argument of learned counsel for the petitioner is that actually there was a shortage of only ₹ 1,50,000/- and that cheque was cleared and the remaining shortage is a false shortage.

As regards the three cheques for remaining amount of ₹ 17,00,300/-, it is the contention of learned counsel for the petitioner that at the time of his employment, company – complainant had taken blank cheques as security and those have been misused.

However, to a pointed query as to whether he had obtained any receipt for the deposit of amount of ₹ 17,00,300/-, learned counsel for the petitioner is not able to give any answer. In these circumstances, I am not persuaded to hold that order dated 08.08.2017 passed by the Additional Sessions Judge, Ludhiana, declining bail is liable for interference.

The petition is dismissed.

February 25, 2019
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(Ajay Tewari)
Judge

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No