

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.32421 of 2018
Date of Decision:-14.01.2019**

Munish Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. P.S. Khurana, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Kamal Narula, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

Petitioner Munish Kumar has prayed for pre-arrest bail in case FIR No.0001 dated 06.1.2018, under Sections 420 and 120-B IPC, registered at Police Station Cantt. Ferozepur, District Ferozepur.

Phula, who retired from Marketing Committee and got retiral benefits of Rs.14,00,000/-, deposited the same in her account. The accused also worked with her as Peon in the same Department and was acquaintance of complainant. There is specific allegation levelled by the complainant that she had to withdraw Rs.10,00,000/- from her account in order to deposit the same in the name of her children. Petitioner Munish assured her

to facilitate the said opening of the account and deposit of the money.

Vide order dated 01.10.2018 passed by this Court, interim protection was extended to the petitioner. Learned counsel has submitted that pursuant to the said direction, the petitioner has joined the investigation.

This fact is not disputed by the counsel for the State, who is assisted by ASI Mohinder Singh.

Learned counsel for the petitioner has contended that no offence punishable under the Indian Penal Code is made out as the amount received by the petitioner is a loan amount borrowed from the complainant.

On the other hand, learned counsel for the complainant has pointed out that the amount was withdrawn on 15.11.2016 by filling up the cheque, which is signed by complainant-Phoola. On the same day, the amount in cash was deposited in the account of wife of the petitioner, namely, Meenu.

Considering the seriousness of the offence and the manner in which the alleged offence has been committed, this Court finds that it is not a case where the concession of anticipatory bail needs to be extended to the petitioner.

Finding no merits, the present petition is dismissed.

January 14, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No