

**CRM-M No. 16910 of 2019
Date of decision: 16.05.2019**

HAPPY GABA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Shvetanshu Goel, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 9 dated 22.02.2019, under Sections 406 IPC, registered at Police Station Daresi, District Police Commissioner Ludhiana.

Learned counsel for the petitioner contends that the allegations in the FIR against the petitioner are that he had misused immediate payment service (IMPS) funds due to a technical snag in the system in the year 2017 and had misappropriated a total amount of Rs. 7 lakhs through multiple entries, which were erroneously made in his account.

On 12.04.2019, the learned counsel had stated that the petitioner had already paid a sum of Rs. 1 lakh and was seeking settlement with the Bank to enable him to pay the rest of the amount in easy installments. He had undertaken that the petitioner shall pay a sum of Rs 2

lakh within 15 days and that the Bank had sought return of the money along with interest from the petitioner and only on his inability to repay the same due to closure of his business the FIR was registered in the year 2019.

Learned counsel for the petitioner contends that he could not deposit a sum of Rs. 2 lakhs in terms of the undertaking on 12.04.2019 and prays for more time in this regard. The petitioner has already been given sufficient opportunity to deposit the amount of Rs.2 lakhs in terms of his undertaking which was the basis of the order granting him ad-interim bail on 12.04.2019. He has not hounoured the undertaking and no further time can be granted.

Consequently, the petition stands dismissed.

16.05.2019
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No