

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-17828-2019 (O&M)
Date of Decision:-22.4.2019

Mirdula Mangla

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dhirinder Chopra, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

The learned counsel contends that the petitioner is a proprietor of M/s Subham Sarees, Street No.2, Nathu Colony, Near Aggarwal Dharmshala, Ballabgarh and that respondent No.5 Vaneet Bhagat had worked as a manager for about four years with the petitioner's firm but later when it transpired that respondent No.5 had misappropriated huge amount, he was thrown out of service. The learned counsel has submitted that although a complaint was made to the police, which was initially inquired into by ASI Balbir Singh, who recommended registration of a case against respondent No.5 and submitted his report (Annexure P-4) to the SHO Police Station, City Ballabgarh, who also agreed with the said report but the Assistant Commissioner of Police, Ballabgarh did not accept the report while observing that it was a case of settlement of accounts only. The learned counsel has submitted that the present case could not be termed as a

case of settlement of accounts as it is a case where respondent No.5 had misappropriated an amount of ₹17,83,124/-.

Having heard the learned counsel for the petitioner, the petition is disposed of with liberty to the petitioner to move an application under Section 156(3) Cr.P.C. before the trial Court. In case, any such application is filed, the trial Court shall dispose of the same expeditiously after calling for a report of the SHO concerned and without being prejudiced by any of the earlier reports.

22.4.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No