

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

CRM-M-46029-2018 (O&M)

Date of Decision:- 6.2.2019

Munish Bagga

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Sukhjit Singh, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.152, dated 21.9.2018, registered at Police Station Division 2, District Police Commissionerate, Ludhiana, under Sections 408 IPC.
2. The FIR was registered at the instance of Narinder Behal wherein it has been alleged that petitioner-Munish Bagga was working with their firm since the last about 3-4 years and had been collecting payments from various parties and the payments so collected used to be deposited with the firm. It is alleged that since the last about 6

months the petitioner had not deposited the complete amount, collected from the parties. The details of the amount so collected is also mentioned in the FIR.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged against the petitioner solely on account of the fact that he has left the employment of the complainant and had joined his competitor.
4. Opposing the petition, the learned State counsel has informed that since the petitioner is specifically named in the FIR and the amounts embezzled are also mentioned specifically and since during investigation it has surfaced that in fact it was an amount of ₹4,17,000/- which had been usurped by the petitioner, no case for grant of bail is made out. It has however been informed that the petitioner has joined investigation.
5. Having regard to the facts and circumstances of the case and bearing in mind the quantum of amount involved and that the case is mainly based on documentary evidence and also that the petitioner has already joined investigation, I find it to be a fit case for grant of anticipatory bail. The petition, as such, is accepted and interim directions issued vide order dated 17.10.2018 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

**February 6, 2019**

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**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No