

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

CRM-M No.32013 of 2019 (O&M)

Decided on: 12.12.2019

Ashok Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ankur Lal, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this 2nd petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.150 dated 21.06.2018, registered under Sections 13(1), (2) of the of the Prevention of Corruption Act, 1988 (in short 'the P.C. Act'), 120-B, 204, 409, 420, 467, 368, 471 of the of the Indian Penal Code, 1860 (in short 'IPC') at Police Station Bhawani Khera, Bhiwani, District Bhiwani.

The first petition seeking bail to the petitioner was dismissed as withdrawn on 02.05.2019.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of the Director, Post Officer, Bhiwani, the petitioner was posted as a Branch Post Master, Kirawar and has committed embezzlement in the accounts of the Post Office, maintained by the consumers and two persons namely Sandeep and Satbir have held the petitioner while committing the offence. It is

further stated in the FIR that as per the preliminary enequry conducted by the department, detail of which is given in the FIR, the amount deposited by number of victims/consumers of the Post Office, has been embezzled by the petitioner.

Counsel for the petitioner has further argued that the petitioner is in custody for the last 01 year, 02 months and 23 days and the case is still at the initial stage.

Counsel for the State, on instructions from ASI Varinder Singh, has however opposed the prayer for bail on the ground that on account of the detailed investigation the petitioner has been arrested, the case is now fixed for framing of the charge and the statement of the complainant is yet to be recorded and in case, the petitioner is released on bail, he may try to influence the prosecution witnesses.

Counsel for the State has further argued that the total sum of Rs.30 lacs has been embezzled by the petitioner and the petitioner being the Incharge and the concerned person, who was responsible for the amount so deposited by the depositors.

After hearing the counsel for the parties and considering the fact that there are serious allegations against the petitioner for embezzlement of the aforesaid amount, I find no ground to grant bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

12.12.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No