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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42570-2019
Date of decision-14.10.2019

Raj Kumar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jagmohan Ghumman, Advocate for the petitioner.

Mr. Sanjay Kumar Saini, AAG, Haryana assisted by
ASI Ramanand.

Mr. Mukesh Yadav, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner-Raj Kumar has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in FIR No.501 dated 27.12.2017 registered under Section 409 of Indian Penal Code, 1860 at Police Station Kanina, District Mahendergarh.

The FIR was registered on the complaint made by Block Development Panchayat Officer, Kanina with the allegations that petitioner who is Ex Sarpanch of the village has embezzled the funds of the State Ex-chequer by causing loss to the tune of Rs.4,79,817/-.

Learned counsel for the petitioner submits that the allegations against the petitioner/former Sarpanch are false. He submits that his tenure

as Sarpanch was w.e.f. 2010 to 2015 and the present FIR is the third FIR registered by Police. In the other two cases, the petitioner was granted the concession of pre arrest bail as nothing was found against him, and cancellation report was filed. He submits that the petitioner deserves the concession of pre arrest bail.

On the other hand, learned State counsel assisted by ASI Ramanand and learned counsel for the complainant opposed the bail application on the ground that earlier, the concession of pre arrest bail was extended after noticing the fact that the cancellation report stands filed. He has further apprised that in the present case, the allegations are of causing loss to the tune of Rs.4,79,817/- as the petitioner purchased the dustbin at an exorbitant price i.e.4,500/- per dustbin, whereas the actual price was between Rs.1200-Rs.1300/- per dustbin.

In view of the above, no case is made out for grant of extraordinary concession of pre-arrest bail.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

14.10.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No