

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

CRM-M No. 742 of 2020

Date of decision: 14.01.2020

Ranjit Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Abhinav Guupta, Advocate
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.75 dated 20.06.2019 registered under Section 408 IPC at Police Station Sadar Jalandhar, District Jalandhar.

Counsel for the petitioner has argued that prior to registration of the present FIR, an FIR No.159 dated 14.07.2017 was also registered at Police Station Jandiala, District Jalandhar, with regard to the allegations of embezzlement of Rs.9.49 lacs and the petitioner was arrested in the said case and he was later on, granted the concession of regular bail by the trial Court vide order dated 19.03.2019. It is further submitted that it is stated in the FIR that now an additional embezzlement of Rs.4.74 lacs is observed to be caused by the petitioner and therefore, the Managing Committee has passed another resolution for getting the present FIR registered.

Counsel for the petitioner has, thus, argued that in fact it is the same offence and only the amount has been differed as it is the case of the complainant that during the audit of the society account earlier

embezzlement of Rs.9.49 lacs was found *qua* which FIR No.159 was registered and later on, when an additional embezzlement of Rs.4.74 lacs is found, the second FIR is registered with regard to the same offence.

Counsel for the State, on instructions from ASI Jagir Singh, has not disputed the factual position but opposed the prayer for bail.

Accordingly, the present petition is allowed and the petitioner is directed to be released on anticipatory bail subject to the conditions envisaged under Section 438(2) Cr.P.C..

However, it will be open for the Investigating Officer to issue a notice in writing to the petitioner to join the investigation as and when he is required.

(ARVIND SINGH SANGWAN)
JUDGE

14.01.2020
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No