

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(102)

CRM-M-24154-2020

Date of Decision: August 25, 2020

Sandeep Ranga

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunil Kumar, Advocate, for the petitioner.

Mr. Sharad Aggarwal, AAG, Haryana.

Mr. Rahul Deswal, Advocate, for the complainant.

HARSIMRAN SINGH SETHI, J.(ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.537 dated 03.08.2020 under Sections 381, 408, 420 and 34 IPC registered at Police Station Hisar Sadar, District Hisar.

Learned counsel for the petitioner argues that though, the petitioner has been arrayed as co-accused along with two others in the abovementioned FIR but the allegations of embezzlement are mainly against the main accused Vinay Kumar and not against the petitioner. Learned counsel for the petitioner further submits that the petitioner is ready to deposit a sum of Rs.2 lacs in case, the benefit of anticipatory bail is granted to the petitioner.

Notice of motion.

Mr. Sharad Aggarwal, learned Assistant Advocate General,

Haryana, who has joined the proceedings through video conference, keeping

in view the service of advance copy of petition, accepts notice on behalf of the respondent-State and Mr. Rahul Deswal, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of the complainant.

Learned counsel for the respondent-State submits that the allegations against the petitioner and two other co-accused are grave in nature as they have alleged to embezzle spare parts to the tune of Rs. 32-33 lacs.

Learned counsel appearing on behalf of the complainant submits that the co-accused of the petitioner namely Vinay Kumar had offered a sum of Rs. 11 lacs, the payment of which was later on stopped and therefore, the offering of the money by the petitioner to secure the anticipatory bail cannot be treated as valid ground and the prayer of the petitioner for the grant of anticipatory bail is liable to be rejected.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, the allegations of misappropriation are against the three employees, who have alleged to have embezzled spare parts, amounting to Rs.32 lacs to Rs.33 lacs. The said embezzlement spare parts are yet to be recovered and further, the bail application of the co-accused has already been rejected by this Court while deciding CRM-M-22947 of 2020 in case of co-accused Vinay Kumar and CRM-M-23592 of 2020 in case of co-accused Dinesh Saini. Further offering of the money by the petitioner, prima facie, shows that the allegation of embezzlement against the petitioner carries some weight and therefore, the offer of deposit of Rs.2 lacs to secure anticipatory bail, cannot be accepted as the same

cannot be treated as a valid ground. The custodial interrogation is necessary to find out the truth and *modus operandi* as to how the embezzlement took place.

Keeping in view the above, no ground is made out to grant the benefit of anticipatory bail to the petitioner.

Accordingly, the present petition is dismissed.

August 25, 2020
harsha/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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