

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

CRM-M-16798-2021(O&M)
Date of decision: 28.04.2021

Amit Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Virendra Rana, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No. 90 dated 27.03.2021, registered under Sections 408 and 120-B IPC, at Police Station Salem Tabri, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. The petitioner was only a servant in the spare parts of Combines shop of the complainant for the last 16-17 years. The complainant along with other owners of the shop have got executed a sale deed in their favour from the petitioner and the petitioner has filed a civil suit on 10.03.2021 for cancellation of the aforesaid sale deed and the present FIR was registered on 27.03.2021, which is a counter-blast. There is a delay of two months in lodging the present FIR.

Notice of motion.

On the asking of this Court, Mr. Avtar Singh Sandhu, Addl. AG Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Namit Gautam, Advocate, appears on behalf of the complainant.

Learned State counsel assisted by the learned counsel for the complainant submits that the petitioner embezzled the goods worth Rs. 40 lakh and supplied the same to his brother, who is running a spare parts shop in UP and the aforesaid sale deed was got executed by the petitioner on his own, as the total consideration amount was paid to the petitioner at the time of executing the agreement to sell. Recovery is yet to be effected.

I have heard the learned counsel for the parties.

There are serious allegations against the petitioner and the recovery is yet to be effected, thus, I do not find any ground to grant the concession of anticipatory bail to the petitioner.

The present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

28.04.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No