

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

**CRM-M No.30299 of 2021
Date of Decision:-01.09.2021**

Kulwinder Singh

.....Petitioner.

Versus

State of Punjab

.....Respondent.

(Heard through Video-Conferencing)

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Ankush Singla, Advocate
 for the petitioner.

Ms. Samina Dhir, D.A.G, Punjab.

MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case pertaining to the FIR bearing No.30 dated 06.07.2021 registered at Police Station Mehal Kalan, District Barnala, under Sections 406 and 420 IPC, the petitioner has moved the present petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner was working as Peon-cum-Salesman in the Multi-Purpose Agricultural Co-operative Society Limited at Chauhanke Kalan and he had taken money from the members of the Society and had issued fake receipts to them which were not entered in the relevant record of the Society and the amount, collected by him, was not deposited in the bank.

Status-report, filed on behalf of the respondent-State, by way

of the affidavit of Deputy Superintendent of Police, Mehal Kalan, District Barnala, has been forwarded by learned State counsel to this Court through *e-mail* and the same is taken on the record.

Learned counsel for the petitioner contends that the petitioner was working as Peon in the said Society and hence, he had no occasion to receive money from the members of the Society and in fact, the Joint Secretary of the Society was responsible for the alleged offence and in these circumstances, the petitioner deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that the petitioner had been working as Peon-cum-Salesman and he had received the amounts of money from the members of the Society as detailed in para 5 of the status-report and moreover, he had been extended the interim relief by the Court below and though he had joined in the investigation but he did not co-operate with the investigating agency and due to this reason, his application for seeking anticipatory bail had been dismissed and it being so, the petitioner is not entitled to the said relief.

As specifically mentioned in the FIR itself, the petitioner was working as Peon-cum-Salesman in the said Society and in para 5 of the status-report also, it has categorically been mentioned that during the inquiry, it was found that the petitioner had been working as such and the names of the members of the Society as well as the amounts as collected by the petitioner from them have also been detailed therein. Further, in para 6 of the status-report, it has been submitted that the statements of the said

members of the Society had been recorded and they had also produced the original pass-books, wherein the entries were made by the petitioner under his signatures.

To add to it, in para 7 of the said status-report, it has been specifically mentioned that the petitioner had joined in the investigation but he had not cooperated with the investigating agency and his bail application had been dismissed by the Court below on this score.

Keeping in view the above-discussed facts and circumstances as well as the gravity of the allegations levelled against the petitioner, this Court is of the considered opinion that he does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed accordingly.

September 01, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*