

CRM-M-46065 of 2021

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

CRM-M-46065 of 2021
Date of decision: 17.11.2021

Ajay Kumar

.....Petitioner

vs.

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Dixit Garg, Advocate, for the petitioner.
Mr. C.L. Pawar, Sr. Deputy Advocate General, Punjab.
Mr. B.D. Sharma, Advocate, for the complainant.

ASHOK KUMAR VERMA, J. (ORAL)

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in FIR No.0194 dated 29.09.2021 registered under Sections 34/408 IPC at Police Station Khanna City-2, Police District Khanna, District Ludhiana.

Briefly stated, petitioner is an employee in the Amrit Malwa Capital Limited where complainant is working as an incharge. Petitioner recovered motorcycles/two wheelers from the defaulters but did not deposit the same in the company. He also did not deposit an amount of Rs.91,790/- collected vide several receipts from the customers of the company.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case. There is unexplained delay in lodging the FIR. The vehicles recovered by the petitioner from the defaulters were deposited with the company. No amount is with the petitioner. He has to return only Rs.70,000/- which was taken as advance.

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Custodial interrogation of the petitioner is not required and he is ready to join the investigation.

On the other hand, learned State counsel, assisted by learned counsel for the complainant, vehemently opposed the grant of anticipatory bail to the petitioner that he has committed very serious offence. He has embezzled huge amount of the company and has not returned the recovered vehicles to the company, which are still in custody of the petitioner.

I have heard learned counsel for the parties and perused the paper-book.

There are very serious allegations against the petitioner. After recovering five vehicles from the defaulters, the petitioner has not deposited the same with the company. He is alleged to have embezzled a huge amount of Rs.91790/- collected from the customers of the company. Therefore, custodial interrogation of the petitioner is very much required for the purpose of recovery and investigation.

Moreover, on 10.11.2021 petitioner was granted opportunity to arrange money for settlement with the company. However, he has failed to do so.

In view of above and keeping in view the gravity of offence, this Court is not inclined to grant the concession of anticipatory bail to the petitioner.

Dismissed.

November 17, 2021

R.S.

(Ashok Kumar Verma)
Judge

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No