

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

CRM-M-50316 of 2021(O&M)

Date of Decision: December 02, 2021

Bandana

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dheeraj Mahajan, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.234 dated 07.11.2020, registered under Section 420 of the Indian Penal Code at Police Station Sujanpur, District Pathankot.

Counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the present case, as the allegations as set out in the FIR are not sustainable. It is argued that on account of pressure of work and some negligence on the part of the petitioner, she failed to immediately deposit the amount received from the account holders to the credit of government. It is submitted that the petitioner voluntarily deposited an amount of Rs.1,35,200/- on 07.01.2020 inclusive of penalty assessed by the Postal Department, much prior to the registration of the FIR,

as such, no criminal offence is made out against the petitioner. It is also contended that all the documents are already in the possession of the department and police authorities, as such, custodial interrogation of the petitioner would not be required.

Notice of motion.

At this stage, Mr. A.S. Gill, Sr. DAG Punjab, who is present in court, accepts notice on behalf of the respondent-State. He, on instructions from the Investigating Officer, opposes the grant of anticipatory bail to the petitioner, by contending that the petitioner was working as Branch Postmaster, Chashma Branch Post Office, sub-office Malikpur since 28.05.2014 and she had misappropriated the government money in the 09 accounts/passbooks amounting to Rs.2,07,827/-.

I have heard counsel for the parties and have gone through the pleadings of the case.

Admittedly, the petitioner was working as Branch Postmaster, Chashma Branch Post Office, sub-office Malikpur since 28.05.2014. There are allegations against the petitioner that she intentionally misappropriated the government money in 09 accounts/passbooks amounting to Rs.2,07,827/-. The contention raised by the counsel for the petitioner that the petitioner voluntarily deposited the amount of Rs.1,35,200/- inclusive of penalty assessed by the Postal Department much prior to the registration of the FIR is not sustainable, as the petitioner deposited the amount of Rs.1,35,200/- with the department only after she was charge-sheeted. As stated by the learned State counsel, an amount of Rs.69,000/- is still to be recovered from the petitioner. Under these circumstances, once custodial

interrogation of the petitioner is required for a result oriented investigation,
this court is not inclined to grant anticipatory bail to the petitioner.

In view of the above, the instant petition is hereby dismissed.

December 02, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No