

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

105

CRM-M-22966-2022 (O&M)

Date of Decision: 25.05.2022

GAGANDEEP SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. YM Bhagirath, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.67 dated 06.04.2022, registered under Section 408 IPC, at Police Station city South, District Moga, Punjab.

Learned counsel for the petitioner submits that the petitioner was working as a Sales Representative in firm, namely, Devi Dass Gopal Krishan and drawing a salary of Rs.18,000/- per month; that it was the customers, who have complained regarding cattle feed being not up to the mark; that due to Covid-19 pandemic, the customers were not in a position to make the payment of Rs.27,25,676/- and had sought time for the same and that no amount was deposited/transferred in the petitioner's account. He further submits that the petitioner has never misappropriated any amount of the firm; that the offence alleged to be committed by the petitioner is a compoundable one and that the present FIR has been lodged just to claim the amount from the Insurance Company against the insurance done by the firm.

Notice of motion.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG Punjab, accepts notice on behalf of the respondent-State.

Mr. Akhil Kashyap, Advocate, appears and files power of attorney on behalf of the complainant. The same is taken on record. He submits that the petitioner has specifically disclosed to one of his co-employees regarding misappropriation of the aforesaid amount; that the petitioner has given a cheque bearing No.024546 dated 20.05.2022 amounting to Rs.27,25,676/- in favour of the Firm, against misappropriated amount, which clearly indicates that the petitioner has admitted his guilt and that the aforesaid cheque on presentation on 21.05.2022, was dishonoured on account of funds insufficient.

I have heard the learned counsel for the parties.

Presentation of cheque by the petitioner in favour of the firm itself speaks volumes. Further, the allegations against the petitioner are direct and specific. The petitioner has misappropriated a huge amount of the firm. Thus, to unearth the truth, the custodial interrogation of the petitioner is a must.

In view of the above, I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.

25.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>