

201.

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

CRM-M-35272-2022

Date of Decision: 01.12.2022

SANDEEP KUMAR

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gaurav Sethi, Advocate, for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

Mr. Shailendra Sharma, Advocate,
for the complainant.

JAISHREE THAKUR.J (Oral)

This is the third petition that has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.283, dated 01.07.2020, registered under Sections 177/409/420 of IPC at Police Station Ambala Cantt., District Ambala.

The allegations against the petitioner is of misappropriation/ fraud having been played upon the Railway Department amounting to Rs.8 crores and odd.

The first anticipatory bail petition filed by the petitioner before this Court in CRM-M-21039-2020 was dismissed by this Court on 30.07.2020 observing as under:-

“It is conceded position that the Railways Department has initiated enquiry on the basis of allegations levelled against the petitioner and the officials of the Railway and prima facie, finding

substance in the allegations recommended certain actions to be taken against the officials of the Railways alleged to be involved. It is not the case that the petitioner was named in the FIR merely on the basis of allegations levelled against him by the complainant Firm. The FIR itself has been lodged after conducting a preliminary enquiry. It is a scam involving huge public money, which is to be unearthed and therefore, custodial interrogation of the petitioner is required. No ground is made out for grant of anticipatory bail.”

The second petition i.e. CRM-M-37174-2020 stood dismissed as withdrawn vide order dated 11.11.2020 after arguing at some length by counsel for the petitioner.

After hearing learned counsel for the petitioner and perusing the averments made in the present petition, it is found that there is no change in the circumstances which would entitle the petitioner to grant anticipatory bail.

Accordingly, this third petition also stands dismissed.

(JAISHREE THAKUR)
JUDGE

01.12.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No