

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-9282-2023 (O&M)
Date of Decision:- 23.02.2023

Raj Kumar Nagpal

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rahul Deswal, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks quashing of FIR No. 54, dated 10.02.2022, Police Station Ram Nagar, District Karnal, under Section 409 IPC (Section 13 of Prevention of Corruption Act added later on), mainly on the ground that although the allegations against the petitioner who was posted as Head Cashier in Ram Nagar Karnal, UHBVN, are that he had embezzled a cash amount of Rs.29,22,683/- between the period April 2018 to July 2018, but when the Internal Audit Party examined the record partly, the very first 6 entries were found to be correct and the accounts in respect of the same were reconciled which were pertaining to an amount of Rs.6 lakhs. It is further submitted that the remaining entries could not be cross-checked by the Audit Team for want of the relevant record i.e. CCR Book Nos.80 and 81 and that

as such in the absence of the relevant record which could point towards the complicity of the petitioner, he cannot be held liable in any manner.

It has also been informed that in the present case challan already stands presented and the matter is now fixed for consideration of charge.

Having heard the learned counsel for the petitioner and while noticing that challan already stands presented, the instant petition is disposed of with liberty to the petitioner to approach the trial Court and to make all such submissions as have been raised herein at appropriate stage. In case, any such submission is raised at appropriate stage, the trial Court shall dispose of the same by passing a speaking order.

23.02.2023

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No