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

CRM-M-25809-2023
DATE OF DECISION:-25.05.2023

Lovepreet Singh ...Petitioner.

Vs.

State of Haryana ...Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.S. Sahu, Advocate,
for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana.

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HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No.195, dated 08.06.2022, under Sections 406, 409 and 420 IPC, Police Station City Ratia, Tehsil Ratia, District Fatehabad.

2. As per the allegations levelled in the FIR, the petitioner, who was employed with the complainant-M/s Bharat Financial Inclusion Ltd., misused his official position and embezzled huge amount by defrauding the clients as well as breached the trust of the employer company.

3. Learned counsel for the petitioner submits that in the present case, there is no evidence against the present petitioner as the matter was inquired into by the SHO, Police Station Ratia as well as SP, Faridabad and nothing substantial was found against the petitioner, who has been later got implicated on the basis of criminal complaint filed before the learned

Judicial Magistrate. He also submits that the petitioner is ready to cooperate with the investigating agency.

4. On the other hand, learned State counsel opposes the prayer made on behalf of the petitioner while submitting that the petitioner cheated the innocent members/clients of the M/s Bharat Financial Inclusion Ltd. and thereby, embezzled an amount to the tune of Rs.23,05,124/-.

5. I have heard learned counsel for the parties and have gone through the paper book as well as the information provided by learned State counsel, I am unable to find any substance in the present petition.

6. In the present case, petitioner, who was working as Field Staff with M/s Bharat Financial Inclusion Ltd., Branch Ratia, District Fatehabad, received huge amounts from the clients/members whereas the same were never deposited with the company and got embezzled the same by playing fraud, thereby committing breach of trust with his employer.

7. As per the documents produced by learned State counsel, the petitioner collected Rs.19,71,953/- from around 100 members of more than 20 centres of the employer's company and did not deposit even a single penny with it. More than that, the investigating agency has also received number of complaints from the clients/members disclosing their client IDs with the information about the fact of they having deposited installments with the petitioner, though, the same were not found in the records of the employer company,

8. Thus, considering the allegations levelled against the petitioner and the manner, in which, the trust of the employer and the members has been breached by the petitioner being an employee, I do not deem it appropriate to grant the concession of pre-arrest bail to him as the same

wound definitely hamper the progress of the investigation in the present facts and circumstances.

25.05.2023 **(HARKESH MANUJA)**
sonika **JUDGE**

whether speaking/reasoned: Yes/No
whether reportable: Yes/No