

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

**CRM-M-30440-2023
DECIDED ON: 20.06.2023**

SANDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Abhishek Singla, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G, Punjab.

VIKRAM AGGARWAL, J (ORAL)

1. The present petition preferred under Section 438 Cr.P.C. is for the grant of pre-arrest bail to the petitioner in FIR No.57 dated 15.05.2023 registered under Section 408 of Indian Penal Code at Police Station Raman, District Bathinda.

2. Short reply by way of an affidavit of Deputy Superintendent of Police, Talwandi Sabo, Sub-Division Bathinda on behalf of the respondent-State has been filed in the Court today. The same is taken on record.

3. Mr. Gopal Singh Nahel, Advocate has put in appearance on behalf of the complainant and has filed his power of attorney.

4. The petitioner was working as a Clerk in the Akal Academy Bagha, Police Station Raman District Bathinda. He is alleged to have misappropriated ₹8.34 lacs which had been deposited by the parents of the students as fee as the petitioner was working as a Clerk in the said school and was responsible for collecting the fee and for preparing and maintaining the

record with regard to the same. The allegation is that on 22.02.2023, the

petitioner went to the school before the school time and took away the cash and entire record with regard to the said fee.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated at the instance of the complainant-Principal since he was not obeying her commands and was not doing her personal chores.

6. On the other hand, learned counsel representing the State of Punjab and learned counsel representing the complainant have opposed the bail petition stating that the recovery of the amount of ₹8.34 lacs which has been misappropriated by the petitioner has to be made.

7. The petitioner was working as a Clerk in the Akal Academy Police Station Raman, District Bathinda. There is a CCTV footage showing that on 22.02.2023, the petitioner went to the school before the school time and took away cash amounting to ₹8.34 lacs along with all records pertaining to deposit of fee. The argument that the petitioner has been falsely implicated since he did not obey the commands of the complainant-Principal and did not do her personal chores is devoid of merit. No ground is made out to extend the concession of anticipatory bail of the petitioner as the amount of fee deposited by the parents of the students is to be recovered from him. In the considered opinion of this Court, custodial interrogation would be essential to elicit the truth.

In view of the above, I do not find any merit in the present petition and the same is accordingly dismissed.

(VIKRAM AGGARWAL)
JUDGE

20.06.2023
Prince Chawla

Whether speaking/reasoned Yes/No

Whether reportable Yes/No