



211

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9963-2024

Date of Decision:- 19.09.2024

AMANDEEP

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gautam Dutt, Advocate and Mr. Ribhav Singla, Advocate
for petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Himanshu Sharma, Advocate for respondent No.2.
(Through V.C.)

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Amandeep has filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.72 dated 24.11.2023 under Section 420, 120-B IPC registered at Police Station Taragarh, District Pathankot.

2. Facts of the case are Richa Saini complainant gave her statement to the police that on 13.10.2023 she along with her husband Rajesh Kumar had gone to Canara Bank, Begowal Branch Taragarh to make FD. She had given two cheques i.e. one for a sum of Rs.4 lakhs and another for a sum of Rs.5 lakhs from her account and two cheques of similar amount in the name of her husband Rajesh Kumar. On 14.10.2023 she had gone to the Bank to collect FDs but Branch Manager told them to come after two days



and thereafter he started putting off the matter till 25.10.2023 on one pretext or the other. Thereafter, they were called by the Branch Manager on 26.10.2023 and then they came to know that employees of the Bank had cheated them. During investigation of the case, it was revealed that several other persons were also cheated in the similar manner.

3. Learned counsel for petitioner argued that he is falsely implicated in the present case. Nobody has named the present petitioner. He is falsely implicated and entire responsibility has been put on his shoulder in a wrongful manner. There is nothing on record to show that he withdrew the money. He was granted interim bail vide order dated 29.02.2024 and joined the investigation. He is still ready to join the investigation. Therefore, interim bail already granted in his favour may be confirmed.

4. Bail application is opposed by learned counsel representing State. In the detailed status report, it is pointed out that in this case, Rs.18 lakhs belonging to the complainant and her husband were embezzled by depositing said amount in the account of his close associates. He has also embezzled the amount belonging to different persons namely Abhinav Mahajan, Ashok Kumar and others. Said embezzled amount is yet to be recovered. He was joined in the investigation as per the direction of this Court. However, custodial interrogation is required for the recovery of amount and to bring the truth before the Court.

5. Anticipatory bail application is also opposed by respondent No.2, who is the Manager of the Bank. In the status report, it is pointed out that when embezzlement came into light, present petitioner was suspended from service and departmental action was initiated. During the course of



inquiry, it was revealed that he had embezzled various amounts as detailed in para No.6 of the reply belonging to 13 other account holders, amounting to Rs.51,70,000/- details of which are mentioned in Annexure R-17. Said letter was addressed to Senior Superintendent of Police, District Pathankot on 02.02.2024. Therefore, it is a case of huge embezzlement of money. It is pointed out that petitioner was working as single window operator at Canara Bank, Begowal Branch, Taragarh and with the passage of time he won over the confidence of local customers and managed to embezzle huge amount of the account holders.

6. I have considered the arguments and have gone through the record. Status reply filed by respondent No.2 Bank indicates huge embezzlement of Rs.51,70,000/- regarding which intimation is already given to Senior Superintendent of Police, Pathankot. FIR was registered initially on the complaint of one of the account holder namely Richa Saini but hard earned money of other account holder was also embezzled. Custodial interrogation of petitioner is required. Considering the gravity of offence, I do not find a fit case for grant of anticipatory bail and the same is declined.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly.

19.09.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No

(AMARJOT BHATTI)
JUDGE