



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

CRM-M No.20761 of 2024 (O&M)

Date of decision: 3rd July, 2024

Ankit Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Achin Gupta & Mr. Karan Bansal,
Advocates for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.158 dated 01.08.2022 under Sections 420, 406 of the IPC (Sections 409, 201 IPC added later on) registered at Police Station City Kotkapura, District Faridkot.

2. Learned counsel for the petitioner submits that it was on account of strained relations between the petitioner and his boss i.e. the Bank Manager, a false and fabricated case has been planted upon him for having misappropriated an amount of ₹36,85,000/- by misusing certain cheques received from the Bank customers. Learned counsel submits that the petitioner has now been in custody since 02.02.2024 and since investigation is complete and challan stands presented, his further incarceration would serve no useful purpose, as there could be



no apprehension of the petitioner tampering with the evidence, which, in the case in hand, is all documented.

3. On a pointed query put to the learned counsel, he has informed the Court that the petitioner has clean antecedents and is not involved in any other criminal case.

4. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Sukhdev Singh, has reiterated the allegations levelled against the petitioner in the FIR in question, which has been annexed as Annexure P-1, and submitted that the petitioner after misusing the cheques furnished by some of the borrowers, had encashed them and thereafter, misappropriated an amount of ₹36,85,000/-. However, it has not been disputed by the learned State counsel, on instructions, that the case in hand is based on documentary evidence and that challan stands presented. On further query put to the learned counsel, it has been brought to the notice of this Court that charges are likely to be framed on the next date of hearing fixed before the trial Court and as many as 25 witnesses have been cited by the prosecution.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In the facts and circumstances as enumerated hereinabove, coupled with the fact that in a Magisterial trial the petitioner has now been in custody since 02.02.2024 and the possibility of the trial



concluding in the near future looks remote, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 3, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No