



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

101

CRM-M-23432-2024

Date of decision: 10.05.2024

Gurpreet

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikas Kumar Gupta, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.12 dated 26.03.2024 under Sections 420 of the IPC (Section 420 of the IPC deleted and Section 408 of the IPC added lateron) registered at Police Station Mukandpur, District SBS Nagar.

2. Learned counsel for the petitioner contends that he has been falsely implicated in the present case for allegedly duping the complainant to the tune of Rs.3,17,009/- by committing criminal breach of trust, being an employee of Bajaj finance Company. While drawing the attention of this Court to FIR (Annexure P-1), it has been further submitted that a perusal of the same reveals that the ingredients of the offences alleged against the petitioner are not made out; rather the money in question was borrowed by the complainant from the petitioner to clear some loan, and therefore, there is no question of the petitioner having misappropriated any money. It has been urged that in



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the aforementioned facts and circumstances, the custodial interrogation of the petitioner would not be necessitated.

3. I have heard learned counsel and perused the relevant material on record.

4. Prima facie there are serious allegations against the petitioner who was an employee of Bajaj Finance Company; as per the allegations the complainant had borrowed a sum of Rs.3,17,009/-, through the petitioner from the Bajaj Finance Company. Despite the complainant paying the loan through the petitioner, his loan account was not closed by Bajaj Finance Company. On enquiry, he learnt that the loan account had not been closed and the petitioner had fraudulently got the loan amount deposited by the complainant into his own personal account through Google Pay and had thus cheated the complainant and misappropriated the aforementioned amount. In the wake of the serious allegations levelled against the petitioner, he does not deserve the extraordinary concession of anticipatory bail.

5. Accordingly, the instant petition is hereby dismissed.

6. 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.

10.05.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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