101 IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45964-2025
Date of decision: 22.08.2025

SANJEEV KUMAR ....Petitioner

Versus

STATE OF HARYANA ....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Ankur Lal, Advocate
for the petitioner.

Mr. Karan Veer Singh, Sr.DAG, Haryana.

Mr. Ashish Gupta, Advocate for
Mr. Raj Kumar Gupta, Advocate
for the complainant.

SUBHAS MEHLA, J (Oral):

1. Petitioner has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.0306, dated 22.07.2025, under Section 408 of IPC, registered at Police Station Kherki Daula, District Gurugram.

2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case for transfer of money in his account or his family members. However the transaction was for the evasion of tax by the complainant and same amount has been returned in cash to the complainant and for this he received incentive in his account. Learned counsel prayed for acceptance of present petition.

3. Notice of motion.

4. Mr. Karan Veer Singh, Sr.DAG, Haryana, accepts notice on behalf of respondent-State. Learned counsel representing State submits that in the present case the petitioner embezzled approximately Rs.66 lakhs of

the employer's money and transferred the same in his account or in the account of his wife, son and daughter. There are documentary proofs regarding the embezzlement of complainant's money by the petitioner and he is required for custodial interrogation for the recovery of money.

5. Mr. Ashish Gupta, Advocate for Mr. Raj Kumar Gupta, Advocate, appeared on behalf of the complainant and filed Power of Attorney. The same is taken on record and opposed the contention raised by learned counsel for petitioner that transaction relates to evasion of tax by complainant.

6. Heard.

7. The allegations against the present petitioner is serious in nature that he has embazelled the huge amount illegally being a Senior Accountant in the Company of complainant. The plea taken by the learned counsel for petitioner that the transaction was with the consent of the complainant just to avoid tax is to be adjudicated at proper stage after receiving the evidence of both the parties. The allegations against the petitioner are that he transferred the amount which does not belong to him to his own account and account of his family members, and he is required for custodial interrogation. He is not entitled to be released on bail, therefore, this Court does not find it a fit case for grant of anticipatory bail and the same is accordingly dismissed.

(SUBHAS MEHLA)
JUDGE

22.08.2025
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1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No