



CRM-M-39338-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.220

Case No. : CRM-M-39338-2025

Decided On : September 02, 2025

Manoj Kumar ..... Petitioner  
vs.  
State of Punjab ..... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

\* \* \*

Present : Mr. Keshav Pratap Singh, Advocate  
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

\* \* \*

SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.16 dated 13.03.2025, under Section 408 IPC, registered at Police Station Mukandpur, District Shaheed Bhagat Singh Nagar.

Brief facts of the case are that the aforesaid FIR was registered against the petitioner, at the instance of one Hemant Kumar, alleging therein that the petitioner, while working as Gramin Daak Sewak, Branch Post Master at Post Office Talwandi Fattu Branch, during his tenure from 03.09.2013 to 31.12.2017, had obtained installments from 10 insurance policy holders, but did not get the same deposited with Postal Department, thereby embezzling amount of Rs.92,256/-.

Learned counsel for the petitioner contended that the



petitioner has been falsely implicated in the present case. There is inordinate delay of eight years in lodging the FIR in question. He further contended that it is the admitted fact that the amount, which was alleged to have been embezzled by the petitioner, had already been recovered from him before registration of FIR and nothing remained outstanding towards him. Learned counsel also apprised the Court that the petitioner had already been dismissed from service on 30.09.2022. He further urged that the petitioner is ready and willing to join investigation and prayed that he be granted concession of anticipatory bail.

*Per Contra*, learned State counsel opposed the present bail petition, while contending that the allegations levelled against the petitioner are serious in nature. The petitioner, during his tenure in the Postal Department, misappropriated hard earned money of general public to the tune of Rs.92,256/- and this conduct of the petitioner was certainly dishonest with mala fide intention. However, learned State counsel has very fairly admitted that the said embezzled amount has already been deposited by the petitioner before the FIR was lodged against him. He has further submitted that the custodial interrogation of the petitioner is required to unravel the truth and also to know the modus operandi adopted by the petitioner in commission of crime in question. If granted concession of anticipatory bail, the petitioner may tamper with the prosecution evidence. So, the present petition deserves dismissal.

Heard.

As per the allegations in the present FIR, the petitioner, allegedly embezzled the amount of public at large by not depositing the



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installments of insurance policy holders. However, it is the admitted position that he had already deposited the embezzled amount. Services of the petitioner had already been terminated by the department concerned. Culpability of the petitioner in the present case would be seen during trial. The petitioner is not having any criminal antecedents and as per the Status Report, no other criminal case has been registered against him. Custodial interrogation of the petitioner is not required for any purpose and nothing is to be recovered from him. No useful purpose is likely to be served by sending him behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

September 02, 2025

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(SUKHVINDER KAUR)  
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>

2025:PHHC:118589



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