

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

**Criminal Misc. No. M-10142 of 2015
Date of Decision: 20.5.2015**

Pankaj Kumar

--Petitioners.

Vs.

State of Punjab

--Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Sandeep Arora, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

CRM-16833 of 2015

Applicant seeks permission to place on record photocopy of measurement book as Annexure P-5.

Application is allowed, as prayed for.

CRM stands disposed of.

Criminal Misc. No. M-10142 of 2015

Petitioner seeks pre-arrest bail in FIR No. 108 dated 29.9.2014 under Sections 420/467/468/471 IPC, registered at Police Station Mehta, Amritsar.

Learned counsel for the petitioner submits that petitioner was employed under the MNREGA Scheme on contractual basis only for few years and thereafter, he left the job. He further submits that the alleged illegal and bogus entries made at pages 22 to 49 of the measurement book No.776 were not in the handwriting of the

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petitioner but were made by one Paramprit Singh, who was also a technical assistant like the petitioner. He concluded by submitting that the petitioner has been falsely implicated by registering present FIR after a period of about 4 years of leaving job by the petitioner. He prays for allowing the present petition.

Having heard the learned counsel for the petitioner, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of anticipatory bail. It is so said, because it was duty of the petitioner to make relevant entries at the relevant pages of measurement book. A huge amount under the MNREGA Scheme has been embezzled. Petitioner cannot claim innocence at this stage, because there is nothing on record to substantiate the plea raised on behalf of the petitioner.

Without commenting any further on merits of the case, lest it should prejudice the rights of either of the parties, custodial investigation of the petitioner would be a compulsive necessity of the investigating agency, so as to conduct an effective investigation. No case for anticipatory bail is made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

20.5.2015
AK Sharma