

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

CRM-M-12644-2015

Date of decision: 23.4.2015

Babu Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.KS Dhaliwal, Advocate for the petitioner

SNEH PRASHAR, J.

The instant petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in case First Information Report No.35 dated 6.2.2015, under Sections 409, 419, 420, 468 of the Indian Penal Code registered at Police Station K.U.K., District Kurukshetra.

The accusation against the petitioner is that he drew the old age pension of a few old age persons of the village, who have already died.

The submissions made by learned counsel for the petitioner have been heard.

It is submitted by the learned counsel for the petitioner that the petitioner is the Sarpanch of the village and he has been falsely implicated in the present case. The complainant was nursing a grudge

against the petitioner, as he was the losing candidate for the post of Sarpanch in the last election. To show his bonafide, the petitioner has deposited an amount of Rs.40,895/- as demanded by the authorities. Thus, no role has been played by the petitioner in misappropriation of the funds.

As per the allegations in the FIR, the petitioner by forging the record, drew the pension of several deceased persons. In that manner, the petitioner being the Sarpanch of the village misappropriated the public funds and caused loss to the exchequer of the Government.

Apparently, there are serious allegations of forging of official record against the petitioner and of misappropriation of the public funds. The petitioner may have deposited some amount, but the amount embezzled by him is yet to be ascertained and for the same, the custodial interrogation of the petitioner will be required.

Considering the nature offence and without going into the merits of the case, in my considered opinion, no case for grant of concession of anticipatory bail to the petitioner is made out.

Dismissed.

23.4.2015
gsv

(SNEH PRASHAR)
JUDGE