

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

CRM-M-20463 of 2015

Date of Decision: September 18, 2015

Tirath Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. P.S. Jammu, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner-Tirath Singh in this anticipatory bail application are that while working as a Sarpanch of Village Dan Singh Wala had brought about a truce between the accused and complainant side in an earlier case so registered. Balkar Singh present complainant as well as in the previous case wherein the accused were alleged to have caused him injuries. As per settlement the accused side has paid a sum of ₹6,50,000/- as a settlement amount and the present petitioner as a go between in this dispute has kept a sum of ₹5,00,000/- with him and thereafter had handed over a sum of ₹3,70,000/- to the present complainant promising to give the balance after the final effects and has embezzled the said remaining amount of ₹1,30,000/-.

The contentions of the learned counsel for the petitioner that he is willing to return a sum of ₹30,000/- which is the only amount lying with him in the capacity of Sarpanch and that the dispute is purely civil in nature are vehemently opposed on behalf of the State contending that the custodial interrogation of the petitioner is essential for recovery of the balance amount.

Appreciating the submissions of the two sides and in view of the fact that petitioner acting as a responsible person of the village has tried to cheat the poor villager, thus, is not entitled to any sympathy of the Court and his custodial interrogation is essential, therefore, does not deserves concession of anticipatory bail.

Dismissed.

(FATEH DEEP SINGH)
JUDGE

September 18, 2015

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