

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

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Crl. Misc. No. M 2827 of 2015

Date of decision: 28.01.2015

Nirmal Singh and another

..... Petitioners

Versus

State of Punjab

.....Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Parminder Singh-I, Advocate
for the petitioner

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J. (Oral)

The petitioners pray for grant of bail in anticipation of arrest in FIR No. 11 dated 12.01.2015 for offence punishable under Sections 120-B, 420, 465, 467, 468, 471, 409 of the Indian Penal Code and Sections 13(1) (D) and 13(2) of the Prevention of Corruption Act, 1988 registered in Police Station Talwandi Sabo, District Bathinda.

As per the allegations in the FIR, Baljinder Kaur, working as an Accountant in the office of Block Development and Panchayat Office, Talwandi Sabo, embezzled a huge amount of Rs.1,01,39,024.00 and the embezzled amount was transferred in the accounts of the co-accused including the present petitioners.

Counsel for the petitioners contends that Nirmal Singh, petitioner No. 1 is the brother and Harmanjeet Singh, petitioner No. 2 is the

son of said Baljinder Kaur. The amounts credited to their accounts have already been redeposited with the concerned department. The custodial interrogation of the petitioners is not required and they are ready to join investigation and face proceedings in accordance with law.

I have heard counsel for the petitioner and perused the records.

As per the inquiry conducted in the matter, more than Rs.19,00,000.00 were credited in the account of petitioner No. 1 and more than Rs.1,00,000.00 in the account of petitioner No. 2. The pre-arrest bail is a concession to be allowed by the Court in cases where false case has been registered against the accused due to political vendetta or satisfy some ulterior motives.

Keeping in view seriousness of the allegations against Baljinder Kaur and the present petitioners, who had been enjoying the embezzled amount by operating the accounts in which the said money was remitted, I do not think it to be a fit case wherein the petitioners deserve to be allowed equitable relief of pre arrest bail.

Dismissed.

(Rekha Mittal)
Judge

28.01.2015
mohan