

SHEKHER DHAWAN, J.

By this common order, the above titled three petitions are being disposed of as the same relate to the same FIR.

Petitioners, Davinder Singh, Santokh Singh and Gurmail Singh have brought these petitions under Section 439 Cr. P.C. seeking regular bail in case bearing FIR No. 40 dated 13.04.2007 under Sections 409, 420, 467, 468, 471 and 120-B IPC registered at Police Station Machhiwara, District Ludhiana.

Present case was registered against Gurmail Singh, ex-Member of Cooperative Agricultural Services Society Limited, Machhiwara [hereinafter referred to as "the Society"], Gurbachan Singh and Gurmail Singh and others on the allegations that they have embezzled the amount by withdrawing the same. Initially, the case was registered for temporary embezzlement of Rs.1,19,47,680/- whereas, in fact the embezzlement was to the tune of Rs.4,32,610/-.

Allegations in the complaint were that Assistant Registrar, Cooperative Societies, Samrala deputed Inspectors to verify the account books of the Society and it was found that fake advancements in the names of fake members after preparing fake credit limits were made in the year 2004-2005. The said amount was used for personal purposes. The Jamabandies of the members are not in the bank records and fake loans were advanced to these members. However, the principal amount of Rs.1,17,930/- and interest of Rs.2,59,680/- was pending recovery towards two members and the total amount comes to Rs.4,32,610/- which had not been deposited.

Learned counsel for the petitioners have submitted that the

main-accused Manmohan Singh, President of the Society was arrested by the Police and he was granted regular bail by this Court vide order dated 20.7.2007. One Surjit Singh had filed Criminal Misc. No.M-32454 of 2008 in this Court for quashing of enquiry report and accordingly petitioners were arrested.

Learned counsel for the petitioners have submitted that the main accused have already been granted bail by this Court and the offences are triable by the Court of Judicial Magistrate 1st Class. The petitioners are in custody and trial of the case still to take more time. So, they be released on bail.

Learned State counsel has opposed the bail applications on the ground that the allegations levelled against the petitioners are of serious nature.

Having considered the entire facts and the fact that co-accused have been released on bail by this Court and the fact that the trial of the case still to take some more time, without commenting on the merits of the case, present petitioners namely, Davinder Singh, Santokh Singh and Gurmail Singh are ordered to be admitted to bail on their furnishing bail/surety bonds to the satisfaction of Chief Judicial Magistrate, Ludhiana.

Petitions stands disposed of accordingly.

(SHEKHER DHAWAN)
JUDGE

Sept.30th, 2015
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