

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-3529 of 2015

Date of Decision: February 02, 2015

Jaswinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.T.S.Sangha, Senior Advocate with
Mr.T.S.Khaira, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in the event of his arrest in case FIR No.220 dated 13.10.2014 under Sections 420, 409, 465, 467, 468, 471, 167 and 120-B IPC registered at Police Station Sohana, Mohali.

As per record, FIR has been got registered by Jasbir Singh Rattan against Jaswinder Singh, XEN, Irrigation Department and Committee Members of Wembley Cooperative House Building Society. As per the investigation report, which has been mentioned in the FIR, there is embezzlement of crores of rupees by the Committee Members of Wembley Cooperative Housing Building Society. As per the allegations in the FIR, Jaswinder Singh, XEN, Irrigation Department, Balkar Singh and Swadeep Singh have been accused of embezzlement of ₹12.81 crore in the Wembley Cooperative House

Building Society. According to the complainant, as per report of Deputy Registrar, Cooperative Societies, there are allegations of embezzlement of huge funds in the above Housing Society, incomplete records of the Society, illegal tampering, violation of bylaws of the Society and allegations of working as private builders. It is also in the FIR that accused Jaswinder Singh and Balkar Singh used to get the funds of the members transferred by way of Bills in the account of Transway Estate and Infrastructure Pvt. Ltd. by floating a dummy construction company of S.S.Builders. Accused Jaswinder Singh, Swadeep Singh and Balkar Singh, by illegal means, brought the funds of the society in their personal circulation.

At the time of arguments, learned counsel for the petitioner argued that the embezzlement is of the period related to the complainant himself. He further argued that son of the petitioner became President of the Society in November 2010 and embezzlement is earlier to that. Learned counsel for the petitioner further contended that present petitioner has no concern with the society.

I have heard learned counsel for the petitioner and have gone through the record.

As regarding the argument that embezzlement is of the period when complainant was President and not during the Presidentship of son of the petitioner, all these facts are to be investigated. The petitioner is named in the FIR. The allegations of embezzlement of funds etc. have been levelled against the petitioner.

Keeping in view the facts and circumstances of the case, nature and gravity of the matter, I find that the petitioner is required for custodial interrogation in this case. No ground is made out to grant anticipatory bail to the petitioner.

Therefore, finding no merit in the present petition, the same is dismissed.

February 02, 2015
Vgulati

(INDERJIT SINGH)
JUDGE