

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

**Criminal Misc. No. M-42013 of 2015
Date of Decision:-18.12.2015**

Gurnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Atul Kaushik, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

HARI PAL VERMA J.(Oral)

Gurnam Singh son of Pakhar Singh, resident of Village rupa, P.O. Bagli Kalan, District Ludhiana has filed the present bail application under Section 439 Cr.P.C. for grant of regular bail in case FIR No.40 dated 13.4.2007, under Sections 420, 467, 468, 471, 409 and 120-B IPC, registered at Police Station Machhiwara, District Ludhiana.

Learned counsel for the petitioner contends that the present FIR was got registered at the instance of the petitioner when he was working as Inspector of the Co-operative Societies and posted at Machhiwara.

The allegations in the FIR are that Assistant Registrar, Co-operative 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. Since the petitioner was complainant, his name was not in the FIR. However, during the course of investigation his name has been shown as an accused.

Learned counsel for the petitioner submits that the other co-accused approached this Court in **CRM-M No.30905 of 2015** titled as 'Davinder Singh vs. State of Punjab', **CRM-M No.31130 of 2015** titled 'Santokh Singh vs. State of Punjab' and **CRM-M No.31388 of 2015** titled 'Gurmail Singh vs. State of Punjab' and they have been granted regular bail by this court vide order dated 30.9.2015. The offences in the FIR is triable by the Magistrate and the petitioner is in custody since 23.9.2015.

Learned State counsel, though has admitted the fact that co-accused have been granted bail, however, he submits that the allegations against the petitioner are serious in nature.

Having considered the fact that the petitionere is in custody since 23.9.2015 and the fact that the offences as referred in the FIR are triable by the Magistrate and conclusion of the trial will take long time, without commenting on the merits of the case, present petitioner is ordered to be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate, Ludhiana.

It is made clear that the observations made hereinabove shall

not be construed as reflection of any opinion on the merits of the main case and the trial Court shall decide the case on the basis of availability of evidence.

December 18, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE