

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

CRM No.M-4489 of 2015

Date of decision: 23.02.2015

Kapoor Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Balraj Gujjar, Advocate for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.
assisted by ASI Satnam Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.748, dated 04.10.2013, registered under Sections 419, 420, 467, 468, 471, 506, 363, 365 and 120-B of the Indian Penal Code (for short 'IPC'), at Police Station Sadar, Bhiwani.

It is contended that the main accused Bimla Devi, Sarpanch, has been admitted to bail by this Court. The petitioner is not the beneficiary. The entire misappropriated amount stands deposited with the authorities by the co-accused, Bimla Devi. The petitioner is in custody since 28.12.2014.

On the other hand, the learned State counsel opposes the prayer and submits that the petitioner in connivance with main accused, Bimla Devi, has misappropriated the amount. The challan has not been filed.

Considering the fact that the allegations are primarily against Bimla Devi and the petitioner is not the beneficiary and he is in custody since 28.12.2014, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail, on his furnishing bail/surety bonds to the satisfaction of the CJM/Illaqa Magistrate, concerned.

23.02.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE