

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

Date of decision:02/06/2016.

Davinder Kumar and another

.....Petitioners

VS

State of Punjab

.....Respondent

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Sandeep Arora,Advocate for the petitioners

Mr.Kirat Singh Sidhu,DAG Punjab assisted by ASI Suresh
Kumar.

Jaswant Singh,J(Oral)

Prayer is for grant of anticipatory bail to accused petitioners
Davinder Kumar and Surinder Kumar in case FIR No.169 dated 27.11.2015
under Sections 406,420,120-B IPC, PS Kulgarhi, Distt.Ferozepur.

As per allegations five persons were apprehended and found
collecting funds/donations in the name of *Anath Asharam* and Charitable
Society(Regd.)Jalandhar and by not depositing the entire amount in the
accounts of the Society they were mis-appropriating and mis-utilising the
said funds. Names of petitioners have surfaced in the investigation in the
disclosure statements of the co-accused.

It is contended that petitioners are authorized by the Society to
collect funds and there is no material available on the police file showing
any mis-appropriation of funds by the two accused petitioners.

Upon notice, learned State counsel, on instructions states that

the arrested co-accused were working as helpers of present two accused and

have specifically named the present two petitioners involved in mis-appropriation and mis-utilisation of the funds. Further petitioner Davinder Kumar is kingpin while petitioner no.2-Surnder Kumar is his helper and as such custodial interrogation is required to unearth the entire *modus operandi*.

Keeping in view the nature and gravity of the offence no case for anticipatory bail is made out.

Dismissed.

02.06.2016
joshi

(Jaswant Singh)
Judge