

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

**CRM-M No.36878 of 2015 (O&M)
Date of Decision: 27.01.2016**

Gurjant Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Siddharth Gupta, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by A.S.I. Jaskaran Singh.

JASWANT SINGH, J. (Oral)

Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner/Secretary, Agriculture Society, who has been booked for having committed the offences punishable under Sections 406, 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, in a case arising out of FIR No.143 dated 11.09.2015, registered at Police Station Maur, District Bathinda (**Annexure P-1**).

The allegation is that there were certain dead members of various multipurpose Cooperative Agricultural Service Societies, affiliated to the Central Cooperative Bank, Bathinda, however, loans were still sanctioned by the Secretaries of the Societies in their accounts, resulting into release of loans by the Central Cooperative Bank in such accounts. It is further alleged that the money was periodically withdrawn from such accounts of dead persons and misappropriated.

Learned Counsel for the petitioner submits that the co-accused Inspector Sukhdarshan Singh, Cooperative Society has since been granted

anticipatory bail by this Court and, therefore, prayer for similar treatment. That apart, he submits that there is no allegation that he has withdrawn the amounts from the accounts of the dead persons or misutilized the same.

Learned State Counsel, assisted by A.S.I. Jaskaran Singh, submits that it was the primary duty of the petitioner while working as Secretary to ensure the proper sanction of loans and it is only on his arrest, the role of everyone involved would be unearthed.

Learned Counsel for the parties heard.

It is evident that the proper investigation can be conducted only after the custodial interrogation of the petitioner.

Accordingly, the present petition stands dismissed.

January 27, 2016

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**(JASWANT SINGH)
JUDGE**