

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-41785 of 2015 (O&M)

Date of Decision: 02.02.2016

Sanjay @ Swami

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. M.K. Bali, Advocate for the petitioner.

Mr. Anmol Malik, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.297 dated 9.8.2014 under sections 420, 468, 471, 120-B I.P.C registered at Police Station, Jind Sadar, District Jind.

Learned counsel for the parties have been heard.

F.I.R in question came to be registered on the complaint of B.D.P.O., Jind. Allegations in a nutshell were that an amount of Rs.27 lacs which had been sanctioned by the Govt. for the development work of village Dalamwala were misappropriated and the present petitioner, who was Sarpanch of the village Panchayat had an active role in such misappropriation.

During the course of arguments, it transpires that a cheque of Rs.25,90,000/- had been issued in favour of M/s Shyam Bhatta Udyog Mandal, Kandela being run by proprietor namely Rajesh and against such payment no material had been received. It is also the allegation against the petitioner that instead of placing an order for interlocking paver tiles, he had rather placed an order for bricks.

During the course of hearing today, it has gone uncontroverted that out of the amount of Rs.25,90,000/- issued by way of cheque, the proprietor of M/s Shyam Bhatta Udyog Mandal, Kandela has returned a sum of Rs.21,14,550/- in the account of the Gram Panchayat.

The petitioner was arrested on 21.8.2015. Investigation in the case is complete and the challan was presented on 20.10.2015 and thereafter even charges have been framed. The trial is stated to be still at the initial stage and would take time to conclude.

In the totality of circumstances and keeping in view the length of incarceration already suffered by the petitioner and without making any observations on merits, present petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jind.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.02.2016
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