

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

CRM No.M-11152 of 2017 (O&M)

Date of Decision: August 09, 2017

Jagdev Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.R.K.Mattoo, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.13 dated 10.01.2017 under Section 409 IPC, registered at Police Station Sadar Dabwali, District Sirsa.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that FIR in the present case has been registered on the application of Block Development and Panchayat Officer, Dabwali. It is stated in the application that FIR be registered against Jagdev Singh, Ex-Sarpanch for not depositing amount of Gram Panchayat fund and

MNREGA Scheme. It is also in the application that letter was written to the accused to return the amount of ₹1,05,121/- under MNREGA and ₹6,62,918/- under Gram Panchayat Fund scheme. Again letters were written but he did not deposit the amount.

Learned counsel for the petitioner argued that the petitioner has handed over the record to the Acting Sarpanch after his suspension and he has no record with him. He also argued that petitioner is innocent and has not embezzled any amount.

The innocence of the petitioner will be determined during trial. At this stage, there is no document to show that he has deposited or has not received any amount.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the present petitioner is required for custodial interrogation and I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

August 09, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No