

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

CRM-M No.21114 of 2017

Date of decision: 28th November, 2017

Kulwant Singh Gill

... Petitioner

Versus

State of UT Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Jagjit Singh Gill – son of the petitioner in person.

Mr. J.S. Toor, APP UT Chandigarh
for the respondent/State.

FATEH DEEP SINGH, J.

This order shall dispose off fifth regular bail application under Section 439 Cr.P.C. moved by petitioner Kulwant Singh Gill in case FIR No.02 dated 23.05.2014 registered at Police Station Vigilance, UT Chandigarh under Sections 420, 467, 468, 471, 120-B IPC read with Section 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988.

The factual scenario against the petitioner as canvassed by the State are that while the petitioner was President of Chandigarh Sector 16, Cooperative House Building Society Ltd. (in short, 'the Society'), he along with his co-accused, the Executive Members, managed to collect around Rs.5.50 crores for depositing with the concerned authority and which amount by now with cumulative interest is more than Rs.7.00 crores and thus, on account of this embezzlement the present case was got registered.

The lone contention on behalf of the petitioner put forth by his son Mr. Jagjit Singh Gill appearing in person, is that the petitioner is behind bars for almost five years and that the alleged embezzlement amount has been highly exaggerated stressing the fact that the petitioner is more than 70 years old suffering from multiple ailments of heart, diabetes, and hypertension etc. and that the trial is not likely to conclude in the near future.

Learned State counsel Mr.J.S. Toor, learned APP for the UT Chandigarh has stoutly opposed grant of bail on the grounds of seriousness of offence and that no fresh ground is made out and has shown his apprehension that if allowed bail the petitioner would influence witnesses of the prosecution.

Going through the arguments of the two sides, no doubt, the petitioner is behind bars since a long time and had been allowed interim bail by this Court for medical reasons which concession he enjoyed for a sufficiently long period of time. This Court and so the Hon'ble Supreme Court of India had dismissed the similar reliefs being sought by the petitioner at different periods of time. Keeping in view seriousness of allegations together with the fact that apprehension of the State is not unfounded that there is every likelihood that the petitioner if released on bail would stifle due administration of justice and that no fresh grounds of any material consequence have arisen/canvassed, this Court feels

disinclined to allow bail. The bail application as such stands dismissed.

Records be sent back.

(FATEH DEEP SINGH)
JUDGE

November 28, 2017

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No