

Sr. No.218

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-41705 of 2016 (O&M)

Date of Decision: 16.02.2017

Balwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Kulbhushan Raheja, Advocate and
Mr. J.P.S.Brar, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.05 dated 16.02.2016, under Sections 409, 420, 467, 468, 471, 120-B of IPC and Section 13 (1)(D) read with Section 12(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Bathinda.

Counsel for the parties have been heard.

Allegations against the petitioner are with regard to embezzlement of funds while discharging the duties on the post of Secretary of Cooperative Society for the period April, 2013 to March 2014.

Petitioner was arrested in the present case on 18.02.2016.

Challan already stands presented. Court has been apprised that as many as 48 prosecution witnesses have been cited but none has been examined till date.

Trial as such would take time to conclude.

Counsel for the petitioner has argued that it is a case of victimization inasmuch as prior to the present FIR, FIR No.197 dated 03.12.2014, under Sections 409, 420, 465, 467, 468, 471 IPC was registered at the same very police station pertaining to a check period of September, 2014 to November 2014 and in which case he was arrested on 17.03.2015 and had been granted bail by this Court vide order dated 29.01.2016 in CRM No.M-2519 of 2016. It is contended that the instant FIR has been filed only with the ulterior objective to ensure the petitioner to remain incarcerated.

In an overview of the matter and without making any observations on merits, prayer is allowed.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Bathinda.

Disposed of.

16.02.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No