

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

CRM-M No. 8628 of 2017

Date of Decision: 24.03.2017

Dev Raj

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Krishan Singh Dadwal, Advocate,
for the petitioner.

Mr. P.S. Ghuman, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 64 dated 16.06.2015, under Sections 409, 406, 420, 467, 468, 471, 204, 201 and 120-B I.P.C., registered at Police Station Kanwan, District Pathankot.

The petitioner alleged that he was superannuated on 31.03.2014 as Senior Post Master. While he was posted as Assistant Superintendent of Post Offices, Pathankot, he pointed out certain irregularities in Narot Mehra Branch Post Office. Pointed accusation was made against Bal Krishan in the context of his failure to deposit the installments, though the same were

collected by him. The irregularities of aforesaid Bal Krishan were duly reported by the petitioner to the Superintendent of Post Offices, Gurdaspur, on 07.11.2012, along with annual inspection. Thereafter, the petitioner was transferred on promotion to Jalandhar, from where, he ultimately retired on 31.03.2014.

The FIR in question came to be registered in the context of embezzlement allegedly made by Bal Krishan to the tune of ₹ 29,59,516.50/- (Rupees Twenty Nine Lacs, Fifty Nine Thousand, Five Hundred Sixteen and Fifty Paise Only). Further investigation projected accelerated amount also.

Learned counsel for the petitioner submitted that neither the petitioner was named in the FIR nor any overt act was attributed to him. Even the enquiry, conducted by the SP, found him innocent, but the same was not accepted by the Senior Superintendent of Police, Pathankot.

Learned counsel for the petitioner further submitted that the son of the petitioner, against whom allegations of conspiracy and misappropriation were made, has since been granted anticipatory bail by this Court in CRM-M No. 32665 of 2016 on 17.11.2016.

Learned State counsel on instructions from Sub

Inspector Joginder Kumar submitted that the challan has already been presented and the complicity of the petitioner is based on documentary evidence.

Since the petitioner is in custody, w.e.f. 19.02.2017, therefore, without adverting to the merits of the case, it will be just and expedient to grant benefit of regular bail to the petitioner.

Let the petitioner be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 24, 2017.

Apurva

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No