

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-17290 of 2018 (O&M)

Date of decision:21.9.2018

Kulwinder Singh

...Petitioner

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Mansur Ali and Mr. Tushar Madaan, Advocates for the petitioner.

Mr. Pawan Sharda, Senior Deputy Advocate General, Punjab for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0240 dated 3.11.2017 registered for the offences under Sections 409 and 120-B IPC and Sections 10 and 13(2) of the Prevention of Corruption Act, 1988 at Police Station Zira, District Ferozepur.

Notice of motion was issued in this case.

Mr. Pawan Sharda, learned Senior Deputy Advocate General, Punjab has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as

learned State counsel and have gone through the record.

From the record, I find that as per the allegations in the FIR the present petitioner had misappropriated/embezzled amount of ₹7,94,000/-.

The learned State counsel has also shown me the documents in which the present petitioner had himself admitted that amount is with him and he will deposit the same. Therefore, the case of the petitioner cannot be put on parity with the other accused. Secondly, the present petitioner was earlier declared proclaimed offender, though the petition has been filed for setting aside the PO order but, at this stage, the petitioner is a proclaimed offender.

Keeping in view the nature and gravity of the offences and the fact that the petitioner misappropriated a huge amount of the Gram Panchayat fund, I do not find it a fit case where the petitioner is entitled for the grant of anticipatory bail.

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

September 21, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No