

CRM-M-21644 of 2018

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

CRM-M-21644 of 2018
Date of Decision: 11.07.2018

Dalbir Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. H.N.S. Gill, Advocate, for the petitioner.
Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Dalbir Singh in case arising from FIR No.201 dated 19.12.2017 registered under Section 409 IPC at Police Station Morinda, District Roopnagar.

According to the prosecution, the petitioner, as Secretary of Kajauli Multipurpose Agriculture Co-operative Service Society Ltd. embezzled/misappropriated around ₹19.91 lakhs.

Learned counsel for the petitioner *inter alia* contends that petitioner is in custody since 22.02.2018 i.e. since last more than four months. Petitioner undertakes to deposit ₹10.00 lakhs in Court before his release and deposit further amount of ₹9.91 lakhs within four months after coming out of jail to secure the recovery of the alleged embezzled amount, in case the petitioner is held guilty for which he has been booked. Conclusion of trial may take a long time. No useful purpose would be served by keeping the petitioner behind bars.

In view of totality of the facts and circumstances, the petition is allowed. Trial Court is directed to release the petitioner on regular bail on

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his depositing ₹10.00 lakhs, furnishing of bail and surety bonds to its satisfaction with the condition that balance alleged embezzled amount of ₹9.91 lakhs shall be deposited by him within next four months after coming out of jail.

In case, the petitioner would not comply with this order in its letter and spirit, in that eventuality, the same shall stand automatically recalled and the trial Court shall immediately cancelling his bail, would take the petitioner into custody.

July 11, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No