

CRM-M-34370 of 2018

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

CRM-M-34370 of 2018
Date of Decision: 07.09.2018

Karam Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: -Mr. Premjit Singh Dhaliwal, Advocate, for the petitioner.
Mr. Amandeep S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this second petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner Karam Singh in a case arising from FIR No.94 dated 06.09.2017 registered under Sections 409, 120-B IPC and 13(2) of the Prevention of Corruption Act, 1988 at Police Station Ajitwali, District Moga.

According to prosecution, petitioner in connivance with Sarpanch Sarabjit Kaur and BDPO Jaspreet Singh embezzled ₹3.5 lakh of the Panchayat.

Learned counsel *inter alia* contends that both the main accused Sarpanch and BDPO are absconding and have been declared proclaimed offender. Petitioner is in custody since 16.09.2017. Petitioner is innocent and facing trial, which may take sufficient long time in its conclusion. Nothing has to be recovered from the petitioner. No useful purpose would be served by detaining the petitioner in jail any more.

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On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, subject to deposit of ₹3.5 lakh without prejudice to his rights to defend and prove his innocence and furnishing adequate bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned. The trial Court shall convert the amount of ₹3.5 lakh in the shape of some STDR to save loss of interest to the party which shall be held entitled to it.

September 07, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No