

**Sr. No.287
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-48551 of 2017 (O&M)

Date of Decision: 23.01.2018

Satinderdeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

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

Present:- Mr. Karanvir Singh Khehar, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.23 dated 16.10.2017, under Sections 409, 420, 465, 467, 468, 471, 120-B IPC and Sections 13(1)(d) R/W, 13(2) of the Prevention of Corruption Act, 1988 registered at Police Station Vigilance Bureau, Jalandhar.

Counsel for the parties have been heard.

FIR has been registered at the instance of Vigilance Bureau, Punjab, District Shaheed Bhagat Singh Nagar with the allegations that one Jaswinder Pal, Depot Holder and holding licence No.83 under the Public Distribution Scheme and running a Government Ration Depot in a particular village has committed embezzlement by fraudulently showing wheat/kerosene oil having been distributed to beneficiaries and by appending his own thumb impressions.

The petitioner herein is stated to be an Inspector Food and Supplies and the allegations against him is that he has been negligent towards discharging his responsibility as regards checking of the entire record of the Ration Depot in question.

On 19.12.2017 while issuing notice of motion, the following order was passed by this Court:

“Notice of motion, returnable for 23.01.2018.

In the event of arrest, petitioner shall be released on ad interim anticipatory bail till the next date in FIR No.23 dated 16.10.2017, registered under Sections 409, 420, 465, 467, 468, 471, 120-B of Indian Penal Code and Section 13(1)(D) R/W, 13(2) of the Prevention of Corruption Act, 1988, at Police Station Vigilance Bureau, Jalandhar, on furnishing of his bail bonds amounting to `10,000/- with one surety of like amount to the satisfaction of the arresting officer. Petitioner is directed to join the investigation as and when required and fully cooperate with the Investigating/Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

Learned State counsel apprises the Court that the petitioner has since joined investigation.

Further submitted that no recovery is to be effected from the petitioner.

State counsel, however, submits that if the official had discharged his duty diligently then the embezzlement at the hands of co-accused Jaswinder Pal could have been detected at an earlier stage.

In the totality of circumstances, against the backdrop of allegations and the petitioner having joined investigation, this Court is of the considered view that custodial interrogation would not be warranted.

Petition is allowed.

Order dated 19.12.2017 passed by this Court is made absolute.

Disposed of.

23.01.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No