

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9964-2018
Date of decision: 06.04.2018

Sukhwant Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.D. Sachdeva, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Anupam Singla, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.36 dated 04.05.2016 under Section 409 IPC, registered at Police Station Ghagga, District Patiala.

Learned counsel for the petitioner submits that the investigation is complete, challan has been presented, offences are triable by the Court of Magistrate and it will take long time in conclusion of the trial.

Learned State counsel, on instructions from ASI Kulwant Singh, has not disputed the factual position.

Learned counsel for the complainant has however opposed the prayer for bail on the ground that as per the allegations in the FIR, there is misappropriation of more than Rs.30 crores.

In reply, learned counsel for the petitioner has relied upon a judgment of the Hon'ble Supreme Court in **Manoranjana Sinh @ Gupta Vs. Central Bureau of Investigation, 2017 (1) RCR (CrI.) 1025**, wherein it has been held that the bail cannot be denied to a person merely on the ground that the allegations are of embezzlement of huge amount, as it may violate the right of a person under Article 21 of the Constitution of India.

Without commenting anything on merits of the case, considering the fact that the investigation is complete and challan has been presented; the petitioner is not involved in any other case; he has already been terminated from the service; offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial, present petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.04.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No