

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

212

CRM-M-34031-2019 (O & M)

Date of Decision:29.08.2019

Manjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.K. Sharma, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.32 dated 05.09.2018, under Section 409 IPC, registered at Police Station Nakodar City, District Jalandhar.

The FIR was registered on the basis of written complaint moved by the Managing Director, Housefed, Punjab (Chandigarh) with SSP (Rural), Jalandhar wherein, it has been stated that the petitioner, who is the Inspecting Officer with the complainant-Department, is alleged to have embezzled more than ₹40 lacs belonging to the department. It has been mentioned that more than ₹40 lacs was received by the petitioner from various persons who had taken loan from the complainant-Department from the year 1987 upto the year 2007 during the course of his employment with the complainant department and he has not deposited the same in the account of the department and has misappropriated the same for his personal use.

Learned counsel for the petitioner contends that the FIR has been lodged on the basis of a letter dated 08.06.2017 i.e. after a period of more than one year and that too without holding any enquiry. It is pointed out that for the alleged loss suffered by the department, the Arbitration proceedings were also initiated. According to him, final report stands filed on 25.06.2019 and charges are yet to be framed. It is pointed out that the petitioner is behind the bars with effect from his arrest on 11.04.2019.

On the other hand, learned State counsel assisted by ASI Satpal has opposed the bail application. However, it is not disputed that the investigation of the case is complete and trial is yet to commence.

Considering the above background and the fact that the offences are triable by Magistrate, further detention of the petitioner may not be justified. Therefore, without meaning any expression on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

29.08.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No