

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

Criminal Misc. No.M-43807 of 2019(O&M)

Date of Decision: November 18, 2019

Amandeep Singh Kamboj @ Ishu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.G.S.Bhasin, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of bail in case FIR No.0001 dated 12.04.2019 under Sections 406, 34 IPC and Sections 13(1)(a), 13(2) of the Prevention of Corruption Act, 1988 (Sections 392, 411, 412, 120-B IPC added later on), Police station State Crime Police Station, District Crime Wing, SAS Nagar, Punjab.

The FIR was registered on the basis of a complaint by Father Anthony Maedasser. He stated that he was a partner in a firm M/s Sahodhaya. The Firm was dealing in sale and purchase of stationery items which were being provided to various schools run by Diocese Jalandhar all over Punjab. As the new academic session in all the schools had started, books and stationery items were being provided to various schools by the said Firm. The sale proceeds in respect thereof were being collected at the house of the complainant at Village Partapura, Tehsil and District Jalandhar.

He alleged that about 30 unidentified persons dressed in police uniforms armed with deadly weapons- revolvers, AK-47 came to his house. They in the presence of Bank Officials who were present in his house took away the complainant and another. They snatched their mobile phones. They also took away the entire cash, which was available in the house. The complainant alleged that total collections of the Firm were Rs.30,34,54,988/- out of which Rs.14 crores had been deposited with South Indian Bank. Officials of the Bank were present in his house and were counting the currency to be deposited in the account of the firm. The complainant was kept in the custody by the police officials and released on the morning of 30.03.2019. He was informed that the money had been sent to the Income Tax Authorities Ludhiana. The complainant received a notice from the Income Tax authorities to appear in the office of Income Tax, Ludhiana on 30.03.2019. He then learnt that the money which was given to the Income Tax Authorities was only Rs.9,66,00,000/- whereas, the amount which had been taken from the house of the complainant was Rs.16,34,54,988/-. In this manner, the police officials had misappropriated Rs.6,65,00,000/-.

An SIT was constituted under the charge of IGP Crime-I to investigate the matter, in which the role of various police officials came to the fore. Allegations against the petitioner are that he was friend of accused ASI Joginder Singh and ASI Rajpreet Singh. ASI Joginder Singh had given some of the misappropriated amount to the petitioner. The petitioner was arrested on 14.06.2019. On the basis of his disclosure statement, Rs.2,87,500/- were recovered from his house.

Learned counsel for the petitioner has contended that the

person of his locality. He is not in any way connected with the police officials. In any case, the recovery has already been effected. Nothing more is to be recovered from the petitioner. The petitioner is in custody since 14.06.2019.

Taking into consideration all the facts and circumstances and without expressing any opinion on the merits of the case, this petition is allowed. The petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

November 18, 2019

(HARINDER SINGH SIDHU)
JUDGE

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Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No