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

**CRM-M No.39952 of 2019
Date of Decision: 04.03.2020**

Jaspreet Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.94 dated 06.09.2017 registered under Sections 409, 120-B IPC and Section 13(2) of the Prevention of Corruption Act at Police Station Ajitwal, District Moga.

Petitioner is working as Block Development Panchayat Officer (now under suspension). The aforesaid FIR was registered against Sarabjit Kaur, Sarpanch, Gram Panchayat, Village Dhurkot Kalan, Block Moga-1, Tehsil and District Moga, Karam Singh, Panchayat Secretary and the present petitioner.

The complainant Taresm Singh, Panch got the FIR registered in respect of mis-appropriation of Panchayat funds.

A committee was constituted consisting of SDM (Panchayati Raj), Moga, A.E., Block Moga-2, A.E., Block Kot Isse Khan and J.E., Block Moga-1. During inquiry, some incriminating facts came to fore.

Learned counsel for the petitioner submits that during the tenure of the petitioner as BDPO, approximately an amount of Rs.42.29 lacs was spent. At the time of leaving the charge, an amount of Rs.52.5 lacs was available in the account of the Gram Panchayat.

Challan has already been presented and the petitioner is in custody for more than 6 months. Petitioner was declared as proclaimed person/offender on 25.05.2018. Petitioner ultimately surrendered on 21.08.2019.

Vide order dated 09.01.2020, the interim bail for a period of three weeks was granted to the petitioner subject to his executing necessary bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate, Moga. It has been informed that the petitioner after successfully completion of interim bail has surrendered before the Deputy Superintendent Sub Jail, Moga on 30.01.2020 and since then, he is in custody

in continuation of his earlier period of incarceration.

Learned State counsel on instructions from SI Jagjit Singh states that after filing of the challan, charges have not been framed so far. There are 11 prosecution witnesses to be examined in this case.

In view of the above, without adverting to the merits of the case and keeping in view the period of custody of the petitioner, the petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

Nothing expressed hereinabove, shall be construed to be an expression of any opinion on merits of the case.

04.03.2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No