

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

1. CRM-M-20570-2020 (O&M)

Date of Decision: 07.09.2021

Jaswinder Pal Singh

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M-36994-2020

Jasmeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

3. CRM-M-32525-2019

Harpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. P.S. Sekhon, Advocate
 for the petitioner (in CRM-M-20570-2020).

 Mr. K.S. Sidhu, Advocate
 for the petitioner (in CRM-M-36994-2020).

 Mr. Gautam Dutt, Advocate
 for the petitioner (in CRM-M-32525-2019).

 Ms. Deepali Puri, Advocate
 for the complainant.

 Ms. Monika Jalota, DAG, Punjab
 for the respondent-State.

AVNEESH JHINGAN, J.(Oral)

1. These three petitions under Section 439 Cr.P.C. are filed for seeking regular bail in FIR No. 222 dated 23.11.2018 under Sections 420, 406, 409, 465, 467, 468, 471 and 120-B IPC and Section 7, 13(1) (a) of the Prevention of Corruption Act, 1988 registered at Police Station Guru Harsahai, District Ferozepur.

2. The brief facts are that there on allegations of embezzlement of money and paddy by the petitioners in connivance with the officials of the PUNSUP. Jasmeet Singh is in custody from 10.05.2019, whereas, Jaswinder Pal Singh and Harpreet Singh from 22.05.2019.

3. Learned counsel for the petitioners submits that the investigation is complete, challan was filed way back on 08.07.2019. Till date, only one prosecution witness has been examined out of total 45. No recovery is to be made.

4. On 16.08.2021 following order was passed:

“ The matter is taken up for hearing through video conferencing due to COVID-19 situation.

These petitions are filed seeking regular bail.

The allegations are with regard to unearthing of scam whereby without purchasing Paddy employees of Mandi Board, PUNSUP, some Rice Miller and Commission agent in connivance has shown purchase of Paddy and got the money from the State for distributing it to farmers, which was never done. The petitioners are in custody since May 2019. The trial is not progressing. Out of 45 witnesses, only one has been examined till date.

On a specific query to the State counsel that considering the custody period and the nature of allegations is there any reason for keeping them behind bars, she seeks time.

Adjourned to 7.9.2021.

Photocopy of this order be placed on the files of connected cases.”

5. Learned State counsel on instructions from Shakunt Chaudhary submits that the petitioners are in judicial custody and charges are yet to be framed. The trial due to various reasons including COVID-19 situation, has not proceeded and only one prosecution witness has been examined.
6. Considering the custody period only and the fact that conclusion of trial is likely to take time, bail is granted to the petitioners on furnishing surety bonds of Rs. 10,00,000/- each to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.
7. The petitions are allowed.
8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
9. A photocopy of this order be filed on the connected matters of the files.

(AVNEESH JHINGAN)
JUDGE

07.09.2021
Parveen Sharma

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No