

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

**CRM-M No.42442 of 2021
Date of Decision: 14.10.2021**

Bahadur Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pankaj Bali, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

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

This petition is filed under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.52, dated 16.03.2021, under Sections 406, 420 of the IPC, 1860, registered at Police Station Samrala, District Ludhiana.

The allegations are that the petitioner being Secretary of the Kotla Bahri M/P Cooperative Agriculture Service Society Ltd. Kotla Bahri, Tehsil Samrala, District Ludhiana had misappropriated the funds to the tune of Rs.13,00,000/- by distributing the fertilizers on the credit basis.

Learned counsel for the petitioner submits that the petitioner is in custody since 05.08.2021, the investigation is complete and no recovery is to be made from the petitioner. The issue of shortage of stock pending in the arbitration proceedings and the land owned by the petitioner is attached.

Learned State counsel opposes the prayer for grant of regular bail and submits that public money was embezzled. She on instructions from ASI Satnam Singh, however, fairly contends that challan was presented on 22.09.2021 and the petitioner is not involved in any other case.

Considering the facts that arbitration proceedings are pending between the parties, the investigation is complete and the conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

14.10.2021
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| 1. Whether speaking/ reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |