

CRM-M-43574-2021 (O&M)

Through video conference

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

**CRM-M-43574-2021 (O&M).
Decided on: October 14, 2021.**

Jora Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Jaspreet Singh Brar, Advocate,
for the petitioner.**

Mr.Rana Harjasdeep, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail in FIR No.110 dated 23.11.2018, registered under Sections 420, 406, 409 and 120-B IPC, at Police Station Sadar, Kotkapura, District Faridkot.

Learned counsel for the petitioner has submitted that the petitioner was working as a Panchayat Secretary in the village and the allegations against the petitioner are that he has embezzled lakhs of rupees

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but was not giving the measurement of work done to the concerned authorities. He has submitted that the petitioner is ready and willing to provide any kind of measurement which the Department of Panchayat or the police wants and he may be considered for the grant of anticipatory bail.

On the other hand, learned State counsel has submitted that the FIR was lodged on 23.11.2018 and the petitioner is absconding for the last 3 years and so far as measurement of the work during the period of three years is concerned much changes must have occurred in the work, if any, done under the supervision of the petitioner. He has submitted that custodial interrogation of the petitioner in the present case is required particularly in view of the fact that funds to the tune of Rs.40 lakhs are involved and the petitioner who was working as Panchayat Secretary did not give measurement and nor any justification of the funds which were granted to the Panchayat under the RDF Scheme has come forth.

I have heard the learned counsel for the parties.

The FIR was lodged on 23.11.2018 and for the last about 3 years, the petitioner has been absconding and the subject matter involved in the present petition pertains to the allegations of embezzlement of about Rs.40 lakhs and the petitioner who was working as a Panchayat Secretary did not give the measurement of the work performed and as per prosecution there is no explanation as to where the amount has gone. In view of the fact that the petitioner has filed the present petition for anticipatory bail after absconding for a period of three years and further considering the gravity of the offence, the custodial interrogation of the petitioner appears to be

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necessary and therefore, I do not deem it fit and proper to grant the concession of anticipatory bail to the petitioner. Consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

October 14, 2021.	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No