

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

209/2

CRM-M No.40929 of 2020

Date of decision:29.01.2021

Kulwinder Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

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

Present: Mr.Harish Goyal, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl..A.G., Punjab.

Mr.J.S.Dhaliwal, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through
video-conferencing.

This petition has been filed under Section 439
Cr.P.C. for grant of regular bail in case bearing FIR No. 15
dated 23.10.2020 under Sections 7, 13 (1) (a) read with
Section 13 (2) of the Prevention of Corruption Act and Sections
409, 420, 465, 467, 468, 471 and 120-B IPC registered at
Police Station Vigilance Bureau District Bathinda.

Arvinder Kaur was appointed as Clerk on

compassionate ground after the demise of her husband, who was working as Assistant Manager in the bank. The occurrence took place in the year 2013 for which enquiry was conducted in the year 2017. FIR came to be registered only on 23.10.2020 for the offences in question. No objection was raised at any point of time either on 09.11.2013 or thereafter. Petitioner is the manager of the bank. He was arrested on 23.10.2020. Challan has been presented. Charges have not been framed so far.

Learned counsel for the petitioner further submits that the amount has been duly credited in the loan account of Makhan Singh and receipts were duly issued. Minor cutting in Receipt No.099304 dated 09.11.2013 cannot be read to exaggerate the situation as the words written are only in the context of Rs.80,000/- and the alleged cutting in place of figure 1,00,000/- cannot be read in isolation.

On the other hand, learned State counsel, duly assisted by learned counsel for the complainant, opposed the bail on the ground that the petitioner being a public servant was not expected to indulge in the aforesaid act of misappropriation.

Having heard learned counsel for the parties and taking into consideration the fact that the challan has already been presented and trial may take some time in its culmination

and also the fact that the petitioner is in custody since 23.10.2020, It would be just and appropriate to grant regular bail to the petitioner.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

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

January 29, 2021
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(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No