

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

CRM-M-52213-2021 (O&M)
Date of Decision:- 23.12.2021

Jatinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sudesh Kumar Khurcha, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab and
Mr. Harbir Sandhu, AAG, Punjab,
assisted by SI Swaran Singh.

Mr. Harchand Singh Batth, Advocate for the complainant.

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.155 dated 1.8.2021 under Sections 406, 409, 381, 419, 420, 465, 467, 468, 471, 201/120-B IPC at Police Station Urban Estate, District Patiala.
2. The FIR in question pertains to misappropriation of funds of Punjabi University, Patiala by several of its employees, students and some outsiders as well. The FIR in question was lodged pursuant to a complaint made by Dr. Vikramjit Kumar Kaushik, Registrar, Punjabi University, Patiala wherein initially only 7 persons were named as accused namely Nishu Chaudhary, Jatinder Singh (Sevadar), Akashdeep Singh, Sonu Kumar, Harpreet Singh (s/o Karnail Singh), Vinay and Nisha Sharma.

3. It is alleged that it had been brought to the knowledge of Vice-Chancellor, Punjabi University, Patiala that a fraud had been committed regarding salary/scholarship bills in the names of Akashdeep Singh Jabbal, Sonu Kumar, Harpreet Singh(s/o Karnail Singh), Jatinder Singh, Vinay, Nisha Sharma, all relating to Department of Chemistry, Punjabi University, Patiala on the basis of forgery and fabrication and lacs of rupees had been misappropriated. The Vice-Chancellor constituted a Committee comprising of three members headed by the Registrar which conducted inquiry into the matter, during the course of which record was perused and disputed bills were got examined from Handwriting Expert Dr. Inderjit Singh and it was concluded that the disputed signatures on the bills in question were forged and did not match with those of Dr. Baljit Singh, Co-ordinator/Head of UGC-SAP Program of Chemistry Department. It was further found that Nishu Chaudhary and Jatinder Singh prepared forged salary bills of Research Fellows. The Committee found that the bills had been filled in by Nishu Chaudhary and Jatinder Singh who were working together in DPM office and that Jatinder Singh had affixed the forged signatures of Dr. Baljit Singh and that fake rubber stamp had also been affixed on the forged signature of Dr. Baljit Singh on the seven bills which were being examined. It was found that Smt. Raminder Kaur, Superintendent had also connived with Nishu Chaudhary and Jatinder Singh and had prepared and passed the seven forged salary/scholarship bills of Research Fellows pertaining to period w.e.f. January 2021 to April 2021. It was found that none of the beneficiaries were genuine Research Fellows and that the scheme under which the amounts were being claimed had ended in the year 2019. The

Committee concluded that Nishu Chaudhary, Raminder Kaur and Jatinder Singh, Peon had stolen/misplaced/destroyed establishment checking records pertaining to the years 2019-2020, 2020-2021 and 2021-2022 so as to avoid detection. Nishu Chaudhary is also alleged to have made changes in the utilization certificates of UGC-CAS (Physics).

4. After lodging of the FIR on 1.8.2021 on the basis of complaint made by the Registrar, Punjabi University, Patiala on 15.7.2021, the Registrar on the basis of further inquiries made by the Committee, furnished information including account details regarding involvement of more accused vide letter no. 1084/R dated 8.10.2021 wherein Sukhdeep Singh, Parminder Singh, Dalip Kumar, Naveen Kumar, Harpreet Singh(son of Amrik Singh), Yogesh Kumar, Narinder, Lovepreet and Gurmukh Singh were also stated to be the beneficiaries of the misappropriated amount.
5. It the case of prosecution that an amount of ₹32,34,819/- had been deposited in the account of petitioner from the official bank accounts of University i.e. UGC & Non-UGC accounts on the basis of documents prepared and forged by petitioner Jatinder Singh and that as per report of Handwriting Expert, the forged signatures had been affixed by the petitioner.
6. The learned counsel for the petitioner has submitted that the petitioner is merely a Peon in Punjabi University and had been made a scapegoat so as to save the senior officers of the University who were infact responsible for the huge scam. It is further the case of the petitioner that the prosecution mainly banks on report of private Handwriting Expert which cannot be attributed much credibility and that no report of the Government Handwriting Expert has been obtained so far.

7. The learned State counsel assisted by counsel for the complainant, while opposing the petition has submitted that during the course of investigation, it had surfaced that an amount of ₹ 32,34,819/- had been credited in his bank account from the UGC & Non-UGC accounts of Punjabi University and that the petitioner, who is serving as a Peon in Punjabi University, has not come out with any explanation as to why such huge amount stands deposited in his bank account. The learned State counsel has further submitted that Jatinder Singh has been found to be the one who alongwith Nishu Chaudhary had been preparing forged bills and it is the petitioner who had been found to have been affixed forged signatures of Baljit Singh, Co-ordinator on the said bills leading to withdrawal of huge amount.
8. I have considered aforesaid submissions addressed before this Court.
9. Having regard to the fact that the petitioner had benefited of huge amount to the tune of ₹ 32,34,819/- and is stated to be instrumental in carrying out the forgery alleged inasmuch as he is the one who had affixed forged signatures of Baljit Singh, Co-ordinator which actually led to withdrawal of huge amounts from the accounts of the University, no case for grant of bail is made out.
10. The petition is sans merit and is hereby dismissed.

23.12.2021

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No