

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

DECIDED ON: 10th March, 2022

(1) CRM-M-2957 of 2022

Sukhninder Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-2072 of 2022

Pargat Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(3) CRM-M-4798 of 2022

Gurjinder Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. S.P.S. Sidhu, Advocate
Mr. G.S. Sandhu, Advocate and
Mr. G.S. Brar, Advocate for petitioner(s).

Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

These three petitions are filed seeking regular bail in case of FIR No. 14 dated 17.9.2021, under Section 409 IPC and Section 13(1)(a) read with Section 13(2) of Prevention of Corruption Act, 1988 as amended by PC (Amendment Act), 2018, registered at Police Station Vigilance Bureau, Bathinda, District Bathinda.

As per the case set up, there was an embezzlement of Panchayat fund for the financial year 2013-14. The loss was assessed to the tune of Rs.3,71,850/-. Petitioners-Sukhninder Singh and Gurjinder Singh were the Panchayat Secretaries and Pargat Singh was the Sarpanch. As per the allegations, all the three accused in connivance with each other siphoned off the amount.

Learned counsel for the petitioners submit that there is a delay in lodging the FIR, the incident is of 2013-14, the FIR was registered in 2021, petitioners are in custody since September, 2021 and investigation is complete.

On instructions learned counsel for petitioners submit that reserving their right to defence subject to outcome of the trial, they are ready to deposit the amount for which alleged loss was caused to the Gram Panchayat.

Learned counsel for the State opposes the prayer and submits that challan stands presented, charges are yet to be framed.

Without commenting upon the merits of the case, considering that no further recovery is to be made from the petitioners, investigation is complete, petitioners are not involved in any FIR and that the offer made by learned counsel for petitioners in itself is reasonable, the petitioners are granted bail subject to deposit of Rs.3,71,850/- with the trial court and subject to furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The amount deposited shall be subject to outcome of the trial and be kept in fixed deposit in nationalized bank.

The petitions are allowed.

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

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

(AVNEESH JHINGAN)
JUDGE

10th March, 2022

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Whether speaking/reasoned Yes
Whether reportable Yes