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

**CRM-M-18832-2021
Decided on: 8th March, 2022**

Anmolpreet Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Prabhdeep Singh Bindra, Advocate and
Mr. Sidharth Sehgal, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 11, dated 18th February, 2020 under Section 409, 420 and 120-B IPC [Sections 419, 465, 467, 468, 471, 477-A IPC, Sections 7 and 13 of the Prevention of Corruption Act, 1988 and Sections 66 and 66(D) of the Information Technology Act, 2000 were added later on], registered at Police Station Tarsikka, Amritsar, District Amritsar.

[2] The FIR was registered on the complaint made by Kulbir Singh, Branch Manager of Tarsikka, Branch Amritsar, Central Cooperative Bank (for short 'cooperative Bank'). As per the allegations there was embezzlement/ misappropriation of an amount of Rs.2,82,43,958/-. During investigation it revealed that the misappropriation was more than of Rs.18 crores and Bank employee, Secretaries of Cooperative Societies were nominated. Rakesh Kumar was the Branch Manager of Tarsikka Branch, Amritsar, during the

relevant period. The role attributed is that his ID was used for making transactions to syphon off the amount. Ram Kishore was the cashier of the cooperative branch at the relevant time. The role attributed to him is that he in connivance with the Branch Manager and the officials of the cooperative society actively participated in the embezzlement. Sukhbir, Sukhdev Singh and Kulwant Singh were the Secretaries of Saido Lehal Multi-purpose Cooperative Society, Bhattike Tarsikka Multi-purpose Cooperative Society and Tarsiha Multi-purpose Cooperative Society, respectively. These societies were the primary societies, main society being the Cooperative Bank. The role attributed to Kulwant Singh is that his account was used for depositing the amount and transferring the embezzled amount.

[3] The role attributed to Anmolpreet Singh (petitioner) is that account opened in his name was used for depositing the embezzled amount and agriculture limit of rupees four lakhs was sanctioned in his favour though, he was not having his land.

[4] Mr. Bipan Ghai, learned senior counsel for the petitioner submits that petitioner's bank account was opened in the year 2015 when he was 14 years old. He is not holding any official post either in the cooperative bank or in the primary society. Father of the petitioner was the Secretary and he is in custody. No recovery is to be made from the petitioner, he is in custody since 28th December, 2020. He relies upon the fact that two co-accused were granted interim anticipatory bail by this Court and petitioner is at parity with them.

[5] Learned State counsel opposes the prayer for grant of bail. On the basis of status report filed, he submits that more than Rupees One Crore were deposited in the account of the petitioner. Sanction of agricultural limit was granted in his favour without there being any land holding. On instructions from DSP Jogeshwar Singh Goraya, he is not in a position to distinguish the case of the petitioner with the co-accused vis-a-vis grant of bail is concerned.

[6] The observations made hereinafter are only for the purpose

of deciding the petition for grant of regular bail and nothing shall be construed as an expression of opinion on the merits of the case.

[7] There are no allegations of active participation of petitioner in embezzlement. As per the case set up, his name was used by his father being Secretary of The Bhattike Multipurpose Cooperative Society.

[8] Considering the facts and circumstances of the case in totality, custody period and the fact that no recovery is to be made from the petitioner, co-accused was granted interim anticipatory bail and that conclusion of trial is likely to take time, the petitioner is granted regular bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[9] The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

8th March, 2022
pankaj baweja

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | Yes |