

**210 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-19448-2022
Date of Decision: 27th October, 2022**

Satpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Amit Arora, Advocate for the petitioner.
Mr. A.P.S. Tung, DAG, Punjab.

AVNEESH JHINGAN , J.(Oral)

1. This petition is filed seeking regular bail in FIR No. 65, dated 16th April, 2017, under Sections 409, 420, 467, 468, 471, 120-B of Indian Penal Code, 1860 (offence under Section 7, 13(2) (c) of Prevention of Corruption Act, 1988, registered at Police Station Gharinda, District Amritsar Rural.

2. Learned counsel for the petitioner claims parity with co-accused Bhupinder Singh who was granted regular bail by this court on 1st October, 2018, this Court passed the following order:

“Petitioner Bhupinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.65 of 2017, registered at Police Station Gharinda, District Amritsar (Rural), under Sections 420, 409, 467, 468, 471, 120-B of IPC and (Sections 7, 13(2)(c) of the Prevention of Corruption Act, 1988 added later on).

Notice of motion has been issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per the FIR, grants given to the Gram Panchayats had been misappropriated and present petitioner Bhupinder Singh was the Panchayat Secretary of village Attari.

As per learned State counsel, the grant amount concerning petitioner has already been deposited by the Sarpanch.

The petitioner has been in custody since 07.03.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.”

3. Reply dated 26th October, 2022, filed by learned State counsel is taken on record.

4. Learned counsel for the State though opposes the prayer for grant of bail but is not in a position to distinguish the case of the petitioner qua the co-accused so far as grant of bail is concerned.

5. Without commenting on the merits of the case, on the basis of parity of petitioner vis-a-vis co-accused so far as grant of bail is concerned, and that the conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

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

(AVNEESH JHINGAN)
JUDGE

27th October, 2022

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No