

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

Date of Decision: 1st December, 2022

1. CRM-M-21449-2022

Gurmeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M-35806-2022

Paramjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. P.S. Ahluwalia, Advocate and
Mr. Armaan Gagneja, Advocate for the petitioners.
Mr. A.P.S. Tung, DAG, Punjab.

AVNEESH JHINGAN , J.(Oral)

1. These two petitions are filed seeking regular bail in case of FIR No. 21, dated 21st November, 2020, under Sections 429/420/120-B/201 Indian Penal Code, 1860 and under Section 13(1) (a) read with Section 13 (2) of the Prevention of Corruption Act, 1988 (for short 'the Act'), registered at Police Station Vigilance Bureau, Patiala.

2. The name of the petitioners, their official status and period during which the development work was done are mentioned below in tabulated form:-

Name of the petitioner	Official status	Period during which the work was done	Custody period
Gurmeet Singh	Ex Sarpanch, Village Chandu	2017	5 th April, 2022
Paramjit Singh	Sarpanch, Village Nayagaon	20 th August, 2013 to 30 th March, 2017	4 th April, 2022

3. The brief facts are that the FIR was a result of vigilance inquiry No. 11, dated 4th August, 2017. The case set up is that Dhanwant Singh Panchayat Secretary of Village Chandu Nayagaon, Rajalheri, Shergarh, District Sangrur had taken away the official record and burnt it. The development work done was evaluated and it was found that there is a difference between the valuation of the work done and the amount withdrawn by the petitioners.

4. Learned counsel for the petitioners submit that petitioners are in custody since April, 2022; investigation is complete; challan stands presented and petitioners are not involved in any other case. It is further argued that differences are on the basis of valuation.

5. Learned State counsel opposes the prayer for grant of regular bail, however, on instructions from ASI Sukhwinder Singh submits that challan stands presented; charges have been framed and petitioners are not involved in any other case.

6. Without commenting upon the merits of the case, having conspectus of the fact, moreso that the alleged embezzlement is based upon valuation of work done, no recovery is to be made from the petitioners, petitioner have no criminal antecedents and though the investigation is complete conclusion of trial is likely to take time, the petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petitions are allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
9. A photocopy of this order be placed on the file of connected case.

(AVNEESH JHINGAN)

JUDGE

1st December, 2022

Parveen Sharma	Whether reasoned/speaking	Yes/No
	Whether reportable	Yes/No