

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

Sr. No.223

CRM-M-25941-2022

Date of decision : 6.7.2022

Sikandar Singh
VERSUS

.....Petitioner

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr.Rishabh Gupta, Advocate for the petitioner

Mr.RS Khaira, AAG, Punjab

HARINDER SINGH SIDHU, J.

This is a petition for grant of regular bail to the petitioner in case FIR No.70 dated 29.3.2019 registered under Section 409 IPC (Section 409 IPC deleted and Section 406 IPC added vide GD No.35 dated 1.2.2021), at Police Station Sadar Mansa, District Mansa.

The FIR was got registered on the basis of a complaint submitted by Superintendent, District Jail, Mansa, to SSP, Mansa, wherein it was stated that on 29.12.2017, Chhota Singh, Deputy Superintendent, District Jail, Mansa had taken over the charge as Welfare Officer, District Jail Mansa. While checking the account books, there was shortage of Rs.5,94,652 in the welfare fund. Before Chhota Singh, Sikandar Singh (petitioner) was the Welfare Officer, District Jail Mansa, Devinder Singh Randhawa was the then Superintendent Jail and Gurjeet Singh Brar was the then Deputy Superintendent Jail. All these officials were asked to explain the shortfall, however, no satisfactory explanation was forthcoming. After the registration of the case Jagwant Kumar Sharma, Retired Superintendent, District Jail, Mansa deposited the amount of Rs.5,94,652/- in the welfare fund of District Jail,

Mansa. This amount was deposited by him on behalf of Davinder Singh Randhawa, Gurjeet Singh Brar and Sikandar Singh (petitioner). Initially, a cancellation report was submitted, which was however, not accepted by the Court.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. The alleged embezzled amount has already been deposited in the welfare fund of the Jail by Jagwant Kumar Sharma, retired Superintendent, District Jail, Mansa on behalf of co-accused Davinder Singh Randhawa and Gurjeet Singh Brar, who have already been granted the concession of anticipatory bail. The challan has not been presented as yet.

On the other hand, learned State counsel opposes the prayer of the petitioner.

The petitioner is in custody since 28.4.2022. The completion of investigation and the trial of the case will take a long time. Therefore, 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. The petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, concerned.

6.07.2022
gsv

[HARINDER SINGH SIDHU]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No