

CRM-M-40026-2022

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

CRM-M-40026-2022

Date of decision: 11.11.2022

Kuldeep Singh

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.S.Dinarpur, Advocate and
Mr. Arvind Singh, Advocate,
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.182 dated 15.09.2020, registered at Police Station Babain, District Kurukshetra, under Sections 409 and 420 IPC and Sections 120-B and 201 IPC (added later on).

Learned counsel for the petitioner contends that the petitioner being brother of Seema Devi, Sarpanch, has falsely been implicated in the present case; that as many as three accused i.e. petitioner, Seema Devi (Sarpanch) and Somi Sidhu (Panchayat Secretary) have been arraigned in the present case; that co-accused-Seema Devi was declared a proclaimed offender at one stage, but was arrested on 02.06.2022, and that co-accused, namely, Somi Sidhu has since been granted the benefit of regular bail by this Court, vide order dated 27.04.2022. He further contends that no recovery had been effected from the petitioner and that the petitioner has

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been in custody since 21.04.2021. So far as another case registered against the petitioner, is concerned, he has been released on bail therein.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith the co-accused had embezzled the govt. funds to the tune of Rs.32.50 lakh approximately, which was meant for development works in the village.

I have heard the learned counsel for the parties.

Though there are allegations against the petitioner that he alongwith the co-accused had embezzled the govt. funds, yet the fact remains that the petitioner has been in custody since 21.04.2021. Moreover, nothing had been recovered from him. As stated above, co-accused Somi Sidhu has since been granted the concession of regular bail. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

11.11.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No