

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

DECIDED ON: 28th April, 2022

(1) CRM-M-48565 of 2021

Suresh Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

(2) CRM-M-4823 of 2022

Rajender Singh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Priyanshu Kamra, Advocate,
Mr. Inderpreet Singh, Advocate and
Mr. J.S. Mehndiratta, Advocate for petitioners.

Ms. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

These two petitions are filed seeking regular bail in case of FIR No. 225 dated 18.8.2019, under Sections 406, 409, 420, 120-B IPC, 1860, registered at Police Station Uklana, District Hisar, Haryana.

Petitioner-Suresh Kumar and petitioner-Rajinder Kumar were the Sarpanch and the Gram Sachiv respectively.

The allegations in the FIR are that the petitioners in connivance with each other embezzled the Panchayat fund to the tune of Rs. 2,47,933/-.

Learned counsel for the petitioners submits that petitioner Suresh Kumar and Rajinder Kumar are in custody since 18.7.2021 and 19.11.2021 respectively and investigation is complete. The petitioners in order to show their *bonafide*, reserving their rights of defence have deposited the alleged embezzled amount. No further recovery is to be made.

Learned State counsel opposes the prayer for bail and submits that public money was siphoned of.

Without commenting upon the merits of the case, considering the custody period, that though the investigation is complete conclusion of trial is likely to take time and the alleged embezzled amount has been deposited with the trial Court, the petitioners are granted bail on furnishing of surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned. The amount deposited with the trial Court would be subject to outcome of the trial and shall be kept in FDRs in a nationalized bank.

The petitions are allowed.

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

Photocopy of this order be placed on the file of connected case.

28th April, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>