

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

209

DECIDED ON: 21st November, 2022

(1) CRM-M-42623 of 2022 (O&M)

Jasbir Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-44667 of 2022 (O&M)

Harbhajan Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(3) CRM-M-45248 of 2022 (O&M)

Karanjit Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. J.S. Dadwal, Advocate
Mr. P.S. Ahluwalia, Advocate and
Mr. Gagan Pradeep S. Bal, Advocate for petitioners.

Mr. A.P.S. Tung, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

These are three petitions under Section 439 Cr.P.C. for regular bail in case of FIR No. 14 dated 18.8.2022, under Sections 409, 120-B and 201 IPC read with Section 13(1)(A) read with Section 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau Range, Amritsar.

Replies filed are taken on record.

The case set up by the prosecution is that on the basis of Vigilance Inquiry No.2 dated 15.7.2017, the FIR was registered. The allegations are that as per report, Gram Panchayat of Village Dheere Kot had shown that during during period 2013-16 work worth Rs. 38,05,524/- was done whereas the actual amount spent was Rs. 29,95,780/- and there was misappropriation of Rs.8,09,780/-.

Name of petitioners, custody period and status is tabulated below:

Name of petitioner	In custody since	Status
Jasbir Singh	18.8.2022	Sarpanch
Harbhajan Singh	18.8.2022	Panchayat Secretary
Karanjit Singh	18.8.2022	Junior Engineer.

Learned counsel for the petitioners submits that the petitioners are in custody since 18.8.2022, investigation is complete and challan stands presented. It is further submitted that no recovery was made from the petitioners and the case is based upon the documentary evidence.

Learned State counsel opposes the prayer and on instructions from Inspector Vijay Pal Singh submits that the petitioners misused their official status and in connivance with each other misappropriated the Panchayat fund.

Without commenting upon the merits of the case, having conspectus of the facts and considering that the investigation is complete conclusion of trial is likely to take time and the case is *prima-facie* based upon the documentary evidence and the alleged misappropriation is result of valuation done in the year 2018, bail is granted to the petitioners on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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.

Since the main case has been decided, the pending application, if any is rendered infructuous.

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

21st November, 2022

reema

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

(AVNEESH JHINGAN)

JUDGE