

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

I) CRM-M-5312-2023 (O&M)

Sukhwinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-5319-2023 (O&M)

Randhir Singh ... Petitioner

Versus

State of Punjab ... Respondent

III) CRM-M-5656-2023 (O&M)

Ravinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-9.2.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S. Ghuman, Advocate and
Mr. Shivraj Daumajra, Advocate,
for the petitioner in CRM-M-5312-2023.

Mr. Ashwani Prashar, Advocate,
for the petitioner in CRM-M-5319-2023.
Mr. Harjot Singh Bedi, Advocate,
for the petitioner in CRM-M-5656-2023.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by Inspector Chamkaur Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned three petitions filed on behalf of petitioners Sukhwinder Singh, Randhir Singh and Ravinder Singh @ Ravinder Singh Parihar seeking grant of regular bail in respect of a case registered vide FIR No.015, dated 29.8.2022 at Vigilance Bureau Range, District Jalandhar, under Sections 13(1)A read with Section 13(2) of Prevention of Corruption Act, 1988 and Sections 406, 409, 420, 465, 468, 471, 477-A, 120-B of Indian Penal Code.
2. The allegations, in nutshell, are that during the course of checking/audit of Karnana Multipurpose Cooperative Agriculture Society Ltd., Village Karnana, District SBS Nagar, embezzlement to the tune of Rs.7,14,07,596.23/- came to notice and it was found that the said embezzlement had been committed by Randhir Singh, Committee Member (Ex. President), Sukhwinder Singh, Vice President, Ravinder Singh, Committee Member, Mohinder Lal, Committee Member, Kanwaljit Singh, Committee Member, Inderjit Dhir (Ex. Secretary) and Harpreet, Cashier. It was found that the accused were maintaining 2 computers, wherein in one of the said computers, the actual entries were being made, but in the other one, false entries were being made and the amount which had been deposited by the loanees/investors was not being recorded and it is the said computer which used to be shown at the time of audit.

3. Learned counsel for the petitioner has submitted that the petitioners were merely acting as Vice President/Members of the Society and as such, would not have any role in the alleged embezzlement and that it is the then Secretary and the then Cashier, namely, Inderjit Singh and Harpreet Singh respectively, who are the main accused, who had embezzled the amount in question. It has further submits that since identically situated co-accused namely Mohinder Lal and Kanwaljit Singh @ Kawaljit Singh have already been granted bail by this Court, the petitioners deserve the same concession on grounds of parity.
4. Opposing the petition, learned State counsel has submitted that the petitioners were very much part & parcel of the entire scam and that they were signatory to several resolutions which had been passed authorizing Inderjit Singh to withdraw the payments, which would clearly show the complicity of the petitioners. Learned State counsel has, however, informed that the petitioners as on date have been behind bars since the last more than 5 months and that they are not involved in any other case. It has also been informed that charges have been framed, but none out of cited 40 PWs has been examined so far.
5. This Court has considered the rival submissions addressed before this Court
6. The petitioners are specifically named in the FIR and during investigation, they are also *prima facie* found to be involved in the scam. However, this Court finds that the petitioners have been behind bars for a substantial period of more than 5 months. Though charges have been framed, but none out of cited 40 PWs has been examined till date. Conclusion of trial is likely to consume time. In these circumstances and while also noticing that identically situated co-accused namely Mohinder Lal and Kanwaljit Singh @ Kawaljit Singh have already been granted bail, further detention of the petitioners, who

otherwise have a clean record, will not serve any useful purpose. All the three petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. A copy of this order be placed on the file of each connected case.

9.2.2023

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No