

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-16437 of 2023
Date of decision: 13th April, 2023

Makhan Singh

State of Punjab

Versus

Petitioner

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rana Harjasdeep Singh, Advocate for the petitioner.
Mr. I. S. Mann, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This is fourth petition seeking regular bail in FIR No. 60 dated 18.5.2021, under Section 409 IPC, registered at Police Station Garhshankar, District Hoshiarpur.

None of the earlier three petitions were decided on merits.

The brief facts are that FIR was registered at the instance of Assistant Registrar, Cooperative Societies, Garhshankar. The allegations were that during audit, it was found that the petitioner had embezzled amount of Rs.12,48,892/-.

Learned counsel for the petitioner submits that it is a case of false implication, the petitioner is in a position to explain the difference on the basis of account books. He further submits that the petitioner is in

custody since 18.11.2021 and no further recovery is to be made. The contention is that to show his bonafide the petitioner is ready to deposit Rs.3,00,000/- with the trial court subject to out-come of the trial.

Learned counsel for the State opposes the prayer and submits that the petitioner was involved in another case having similar allegations though he was granted bail.

Without commenting on the merits of the case and considering that investigation is complete, no recovery is to be made, there is no progress in trial, conclusion of trial is likely to take time, the petitioner is granted bail subject to compliance of the offer made to deposit of Rs.3,00,000/- with the trial court subject to out-come of the trial and on furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned. The amount so deposited shall be kept in FDR with nationalised bank.

The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

13th April, 2023
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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No