

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

CRM-M-60673-2022
Date of decision: 04.01.2023

Sarjeet Singh @ Surjeet Singh and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate,
for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioners seek anticipatory bail in case bearing FIR No.974 dated 28.09.2022, registered at Police Station Barwala, District Hisar, under Sections 420, 406 and 120-B IPC.

Learned counsel for the petitioners contends that the petitioners have falsely been implicated in the present case; that the petitioners, who are the competent members of the Gurudwara Singh Sabha, Barwala (Sikh Temple), used to do all the activities of Gurudwara in a legal and lawful manner for the welfare of the Gurudwara and that even a single penny has not been usurped by the petitioners. Learned counsel further contends that the amount withdrawn by the petitioners, was used for the construction and repairing work of the building of the Gurudwara and well as the shops of the Gurudwara Committee. Even otherwise, the petitioners are ready to deposit the due amount either in this Court or in the trial Court.

Learned counsel for the petitioners further contends that the shops under the ownership of Gurudwara were rented out to the relatives

of the complainant, but they had not paid the rent for a considerable period and wanted to grab the property of Gurudwara for which the Committee of Gurudwara had already filed various rent petitions against those tenants and the present FIR is the outcome of that proceedings.

Notice of motion.

On the asking of this Court, Mr. Rajesh Gaur, Addl. A.G.Haryana, accepts notice on behalf of the respondent-State.

At this stage, Mr. Sanchit Punia, Advocate, puts in appearance and files his power of attorney on behalf of the complainant, which is taken on record.

Learned State counsel and learned counsel for the complainant, while opposing the grant of bail to the petitioners, submit that there were several FDRs in the name of the Gurudwara Singh Sabha, which were supposed to be matured in December, 2022, but by closing the same prematurely, the petitioners in connivance with each other had transferred about Rs.71 lakh to their personal bank accounts and even to the account of a private company run by petitioner No.2.

I have heard the learned counsel for the parties.

There are serious allegations against the petitiones that they in connivance with each other had siphoned off the funds of Gurudwara Singh Sabha, by transferring the same to their personal accounts and even to the account of a private company run by petitioner No.2.

The Gurudwara is a pious place and the misappropriation of its funds hurts the sentiments of several people. Setting the petitioners free would set a bad example and would give oxygen to the fraudsters.

As such, they do not deserve any concession of anticipatory bail.

Keeping in view the nature and gravity of the offence, this Court finds that the petitioners are required for custodial interrogation to recover the amount and to take the investigation to its logical conclusion.

Therefore, finding no merit in the present petition, the same is dismissed.

04.01.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No