



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-36977-2024

Date of decision: 12.09.2024

Raju Singh @ Harjinder Singh @ Raju

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rajeev Anand, Advocate with
Mr. Ujwal Anand, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the BNSS, 2023 in case FIR No.26 dated 08.05.2024 under Sections 381, 409, 465, 467, 468, 471, 420, 120-B of the IPC registered at Police Station Block Majari, S.A.S. Nagar, Mohali.

2. Status report by way of affidavit of Lalit Kumar Kohli, Superintendent, District Jail Rupnagar, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned counsel for the petitioner contends that the petitioner has been in custody since 16.05.2024 in a case of false implication. The petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Jasvir Singh, employee of a bank, who stated that an amount of approximately



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Rs.2,30,00,000/- (cheated money) had been given to the petitioner. Learned counsel has submitted that other than this incriminating evidence, no other evidence had been collected in support of the alleged transaction. Furthermore, the disclosure statement on the basis of which he has been arraigned as an accused, has very poor evidentiary value. Learned counsel has submitted that in the aforementioned facts and circumstances, since investigation is complete and challan also stands presented, further incarceration of the petitioner would serve no useful purpose as charges are yet to be framed coupled with the fact that 59 witnesses have been cited by the prosecution. Learned counsel has also submitted that identically placed co-accused Ranjodh Singh has since been admitted to bail by the learned Trial Court vide order dated 30.08.2024.

4. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from ASI Paramjit Singh, has not disputed the stage of trial and the factum of the petitioner's name surfacing during investigation in the disclosure statement made by co-accused Jasvir Singh. It has also not been disputed by the learned State counsel that co-accused Ranjodh Singh has since been extended the concession of bail by the learned Trial Court vide order dated 30.08.2024. However, learned State counsel has reiterated and drawn the attention of this Court to the allegations levelled in the FIR which stands reproduced hereinunder:-

“I am 35 years old, posted at the head office of the Cooperative bank, SAS Nagar, SCF-66, Phase-2 Mohali as the district manager. Jasvir singh R/o Village Majari has been working at the Sialba branch as clerk and now as



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branch manager for the past 11 years and 10 months. On 22/02/2024 transferred to branch at Gharuan and is replaced by Tejpal Singh as branch manager at Village Sialba. Tejpal Singh on taking charge as the new branch manager at Sialba reviewed the bank accounts and statements regarding cash flow in the bank and there was a significant difference found in the bank accounts and Tejpal brought this discrepancy to my notice by lodging a complaint at the head office situated at SCF 66, Phase-2 Mohali and an office level investigation was conducted. It was found out that Jasvir singh during his deployment as branch manager, Sialba, had filled in several vouchers without consent and debited certain amounts from bank accounts: An amount of Rs. 13,61,000 was embezzled from the account of Kelawati w/o Vijay Kumar (A/c No. 201034001001358). An amount of Rs. 16,59,000, Rs. 9,65,000, Rs. 8,96,000 and Rs. 13,88,000 was embezzled from the account of Taranjeet Singh s/o Charan singh (A/c No. 201034001100779) and further many more complaints have come forward and the investigation for the same is going on. Jasvir Singh had made false bank documents without any consent of the accountholders and withdrew the amounts and committed fraud, he might have taken the help of some person or persons to commit the offence. We request you to take immediate action against Jasvir Singh, today I along with Senior Manager Tejinder Singh visited Sialba branch where I met with the police party at bus stand village Majari, Sialba and got my statements recorded to inform regarding the wrong being done. I have recorded, read and heard my statement and can confirm them to be true. SD/- Gurpreet Singh, SD/- Tejinder singh, Paramjit singh, ASI, PS Majari dated: 08/05/2024, Police action: Today, I, ASI along with Constable Manoj Singh (1650/SAS Nagar), Constable Abhay Singh (1761/SAS Nagar) and driver ASI Suresh Kumar (126/SAS Nagar) were on patrol duty near bus stand village Majari and checking suspicious persons. District manager (Head Office, SCF 66, Phase 2 Mohali SAS Nagar) Gurpreet Singh and Senior manager Tejinder Singh recorded their statement and confirmed the same word by word, heard the same and later signed the statements recorded. Jasvir Singh having made false bank documents of accountholders without their consent and knowledge, have embezzled lakhs of rupees therefore a case shall be registered against him under Sections 381,409,465,467,468,471,420,120-B of the IPC. Therefore, a case is registered against Jasvir Singh r/o village Majari Post Office Hoshiarpur Thana Msullanpur, Gareebdas, District S.A.S. Nagar, by constable Atay Singh (1761/S.A.S. Nagar). FIR be registered and No. to be given



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after checking file. In this regard, the Station House Officer, PS Majari was informed regarding the same. Control room and senior officers should also be informed. XXXXX. Today, at village Boothgarh, at 7:00 pm Paramjit Singh ASI, PS Majari dated 08.05.2024 XXXXX”

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 16.05.2024. Investigation in the present case is complete, however, there is no likelihood of the trial concluding in the near future as 59 witnesses have been cited by the prosecution. The petitioner is also not stated to be involved in any other criminal case. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

12.09.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No