

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-48215-2024  
Date of Decision:03.10.2024

Taranjeet Singh ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Rahul Kumar Adia, Advocate  
for the petitioner.

Mr. Deepinder Singh Brar,Sr. DAG, Punjab.

Mr. Harshit Khanna, Advocate  
for the complainant.

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N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.121, dated 05.07.2024, under Sections 408, 420, 465, 467, 468, 471 of IPC, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur (Annexure P-1).
2. The FIR in the present case was registered on the basis of complaint moved by General Manager, Milk Union, HSP and the same has been reproduced below:

*“No:MU/HSP/AML/2024/1158 Dated 07.06.2024 Senior Superintendent of Police Hoshiarpur. Subject- Application for registration of an FIR after exposure of the huge scam in this milk union against the Taranjeet Singh s/o Gopal Singh Resident of New Sabzi Mandi, Guru Gobind Singh Nagar, Phagwara Road Mobile 8557855456 (Through Outsource) employee of milk union*

*in marketing branch, Respected sir regarding the subject it is request that milk union does the work sale of milk and milk products through their distributors. Taranjit Singh was doing billing work according to fixed system. Recently, account branch traced that there are fraud and huge financial embezzlement comes in the light during supply of milk and milk products, preparation of bill, received payment and bills and payment/ bills supplied to concerned dealers and to determine the real amount of this financial loss an audit is being conducted of the system concerned with the purpose of doing this. This large-scale financial fraud by the said employee is a serious matter. So this Legal action needs to be taken against the employee as soon as possible so that the embezzled amount can be recovered by identifying other employees involved in this scam. Thank you SD/-Rajesh Balsotra General Manager Milk Union Hoshiarpur Mob. No.84371-87543.*

*Today Police Station - received the application No.2037-SSP Dated 11-06-2024, UID NO. 360622 by Rajesh Balsotra General Manager District Cooperative Milk Producers Union Ltd: Hoshiarpur against Taranjit Singh S/o. Gopal Singh, resident of New SabjiMandi, Guru Gobind Nagar, Phagwara Road, Hoshiarpur, regarding huge financial embazement in the Milk Union, in which Balkar Singh Deputy Superintendent of Police (Head quarter) Hoshiarpur who has written in his report that "During the investigation, the said Taranjit Singh who used to do billing work and the said milk union has been working contracted (outsourced employee). The said Taranjit Singh has admitted in his statement that the amended / Modified bill was put online by him and he used to signed by trusting on Karthikvala and Kamaldeep Singh on cutted bills. In this regard, Taranjit Singh did not produced any witness/evidence during the investigation, due to which according to the statement of the current General Manager said Rajesh Balsotra, said Taranjit Singh since August 2022 to till now has been committed the embezzlement the distributor of union M/s. Global Partnership by amending into the issued Bill during*

*the fraud of Rs.3,26,42,563.07 (Hoshiarpur District Cooperative Milk Products Union Ltd.: Hushi): and there is suspicions that many other employees posted and M/s Global Partnership inconvenience with each other has committed the fraud. Because of which said Taranjit Singh immediately investigation should be carried out by registering a FIR and if the investigation is carried out by others posted in the District Hoshiarpur Cooperative Milk Products Union Limited Husi. If any facts/evidence comes to light that employees or other persons of M/s Global Partners are involved in committing fraud, their persons In the case, the execution of the penalty is to be carried out. Therefore, at first glance it is recommended to registered and FIR under section 408,420,465,467,468,471 at Police Station Sadar, District Hoshiarpur against Taranjit Singh S/o Mr. Gopal Singh resident of New Sabdi was accepted Mandi, Guru Gobind Singh Nagar, Phagwara Road, and the report was sent to the service of Hon'ble SSP upon which the Hon'ble SSP has received approval. The inquiry report along with order number 3972-PC dated 04-07-2024 is being registered at Bajria Postal Collectorate and the original application along with the inquiry report is being referred to ASI Satnam Singh 125/Hus. Control room via wireless-mail notification should be given.*

3. Learned counsel for the petitioner contends that the petitioner is a contractual employee, who had joined the Verka Milk Plant in the year 2019 and was authorised to issue gate pass to the vehicles. He further contends that in fact, the entire fraud was committed by the senior officers of the Verka Milk Plant, who in collusion with the local police have involved him in a criminal case. Learned counsel further contends that the petitioner was neither a permanent employee nor he was authorised to change the bill authorisation. As per him, Kamaldeep, who was a regular employee, was already involved along

with other senior officers. He further contends that during the course of enquiry, the petitioner had co-operated with the D.S.P and the custodial interrogation of the petitioner is not required in the present case, at this stage.

4. A status report by way of an affidavit of Deputy Superintendent of Police, Sub Division City, District Hoshiapur has been filed on behalf of respondent-State and the same is taken on record.

5. On the other hand learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner. Learned State counsel submits that the case has been registered against the petitioner after conducting a detailed enquiry by D.S.P (Headquarters) Hoshiarpur. As per the Enquiry Officer, the petitioner was doing the work of billing in the Milk Union. Even though he was an outsource employee (working on contract basis) still, during enquiry, he admitted that he had been issuing online bills and had been signing the bills issued by Kanwaljit Singh. Even since August 2022, an embezzlement of an amount of Rs.3,26,42,567/- was committed by him in collusion with his co-accused by editing the bills issued to the distributors M/s Global Partners. The petitioner even edited bills in the software and when the soft bills were compared with the hard copies of the bill, the embezzlement was detected. Learned State counsel further submits that in the present case, the custodial interrogation of the petitioner is required and the present petition is liable to be dismissed by this Court.

6. I have heard learned counsel for the parties and perused the record with their able assistance.

7. In the present case, serious allegations have been levelled against the petitioner, who in collusion with his co-accused had committed the embezzlement of huge amount of Rs.3,26,42,567/- by tampering with the software of the company. During the audit, the complainant came to know about the embezzlement committed by the petitioner and his co-accused. Even his custodial interrogation is required for knowing the names of his co-accused, who are actively involved with him and also to know the modus operandi, which was adopted by him and his co-accused. Even otherwise, the allegations levelled against the petitioner are serious in nature and the petition is meritless. Thus, the present petition is accordingly, dismissed.

03.10.2024  
hitesh

(N.S.SHEKHAWAT)  
JUDGE

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