



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

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CRM-M-796-2025

Date of decision: 21.01.2025

Surinderpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Hasrat Brar, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') in case FIR No.138 dated 28.11.2023 under Sections 420/465/467/468/471/409/120-B of the Indian Penal Code, 1860 and Section 13 of the Prevention of Corruption Act, 1988 registered at Police Station Mallanwala, District Ferozepur.

2. Learned counsel for the petitioner has contended that the allegations against the petitioner are false, and this is evident from the unexplained delay of two and a half years in the registration of the FIR (Annexure P-1). It has been argued that this delay, casts serious doubt on the credibility of the allegations.

3. It is further submitted that the petitioner is not the prime accused in the alleged embezzlement. Co-accused Navdeep Singh, who served as the accountant, was primarily responsible for the audit. It has been further emphasized by the learned counsel that co-accused



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Navdeep Singh, using his own user ID and password allegedly embezzled the funds in question; the petitioner merely acted under his supervision. It has been still further asserted by the learned counsel that the petitioner has no previous criminal antecedents; furthermore, he learnt about the alleged embezzlement only after the senior bank officials conducted an audit enquiry.

4. Learned counsel has lastly highlighted that the petitioner had addressed complaints from account holders regarding discrepancies in the payment of interest on loans against fixed deposits. These complaints were resolved, and the pending amounts were duly paid to the account holders. A prayer has been made, therefore, to extend the concession of anticipatory bail to the petitioner as his custodial interrogation would be unwarranted in the present case.

5. I have heard learned counsel for the petitioner and perused the relevant material on record.

6. Upon examining the allegations levelled in the FIR and the material on record, the allegations against the petitioner are prima facie serious and specific. The petitioner has been directly named as an active participant and a key conspirator in the embezzlement of Rs.72,69,697/-.

7. As per the allegations levelled in the FIR, the petitioner was involved in forging signatures on cheques, manipulating interest rates on savings accounts, and mismanaging fixed deposits and loan accounts. These acts resulted in huge financial loss to the bank. Such allegations, on their face, make out a prima facie case of active



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participation by the petitioner in the alleged crime.

8. While there has been a delay of two and a half years in the filing of the FIR, such delay does not, by itself, dilute the gravity of the allegations. In cases of financial fraud, delays in detection and reporting are not uncommon, particularly when such irregularities are unearthed during audits.

9. The contention that the petitioner acted under the supervision of co-accused Navdeep Singh, cannot absolve him of responsibility at this stage. In the light of the allegations levelled in the FIR, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

10. 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.

21.01.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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