



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

210

CRM-M-14658-2025

Date of decision: 16th May, 2025

Jaskewal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. P.K. Kapila, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

None for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 21 dated 04.02.2025 registered under Sections 409, 420, 465, 468 and 471 of IPC (Sections 467 and 120-B of IPC added later on) at Police Station Sadar Faridkot, Punjab.

2. Adumbrated facts as emanating from the record are that one FIR bearing No. 45 dated 04.07.2019 had been registered against Rajbir Singh at Police Station Sadiq, District Faridkot under various provisions of IPC, on the basis of statement recorded by Nachattar Singh, alleging that he had demanded a sum of Rs. 21,00,000/- from him for clearing the limit of bank account operative in the name of Hargobind Marble firm at Oriental



Bank of Commerce, Sadiq Branch. After registration of FIR against him, Rajbir Singh lodged complaints against the present petitioner, who was posted as Head Teacher in Government Primary School, village Ghugiana, levelling allegations of tampering with record and embezzlement of government funds. An inquiry was conducted by District Education Officer, concerned and on receipt of the report, the complaint filed by the present complainant, was filed. The complainant then moved another complaint against the petitioner and co-accused Nachattar Singh levelling similar allegations on which the present FIR had been registered. Apprehending his arrest, present petitioner had moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Faridkot, which was dismissed vide order dated 07.03.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He remained posted as Head Teacher in the above named school from 27.09.2011 till 01.06.2020. The complaint lodged by the complainant is a counter blast to the FIR No. 45 of 2019 as lodged by co-accused Nachattar Singh against him. The complainant is a habitual litigant. He had lodged several complaints against the petitioner and co-accused. The allegations levelled in the FIR are not only vague but also do not make out any case for commission of subject offence. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Accordingly, it is urged that he deserves to be extended benefit of pre-arrest bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab, that there are allegations of



tampering with official record and embezzlement in government funds and grants of schools by the petitioner. The signatures of co-accused Nachattar Singh Brar were *prima facie* shown to be forged on a resolution dated 25.07.2016. The grants allocated to school where the petitioner was posted as Head Teacher, are shown to be mis-utilized. The petitioner had refused to handover the complete charge at the time of his transfer from the school and this record subsequently received by his sucessor showed embezzlement on high scale. Several financial anomalies and fraudulent conduct of the petitioner has been found during the course of conducting investigation. The petitioner is prime accused. His custodial interrogation is must for conducting thorough investigation in the matter. No extra ordinary circumstance for grant of pre-arrest bail is made out. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner in connivance with the other co-accused is alleged to have committed acts of embezzlement in the school, wherein he was posted, by usurping the grants given to the school personally. He was custodian of the record. He is also alleged to have tampered with the signatures of co-accused. The case is at its nascent stage. The allegations against the petitioner are serious in nature. For the purpose of conducting thorough investigation in the matter, custodial interrogation of the petitioner is must. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly and in exceptional circumstances. The Court must be circumspect while exercising such power for grant of anticipatory bail



and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity of allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

16th May, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*