

2025:PHHC:051806



106.

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

CRM-M-20113-2025

Date of decision: 21.04.2025

Swaran Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vikas Bali, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail in case FIR No.22, dated 11.03.2025, under Sections 120-B, 409, 419, 420, 465, 466, 467, 468, 471, 474 of IPC and Section 13(1) of the Prevention of Corruption Act, registered at Police Station Bhogpur, District Jalandhar Rural, for alleged misappropriation of public funds while discharging duties as a Panch of the Gram Panchayat.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case and that his role is marginal and merely procedural. It is contended that there was an inordinate and unexplained delay of more than one year in lodging the FIR, which renders the prosecution version doubtful. Learned counsel further argues that the petitioner was neither the decision maker nor the executing authority and acted only upon instructions from the higher administrative functionaries. It is also urged that no recovery is to be effected from the petitioner, and the

case rests entirely on documentary evidence which is already in possession of the Investigating Agency. A prayer has, therefore, been made to extend the concession of anticipatory bail, more so when the petitioner is willing to join investigation and cooperate with the Investigating Agency.

3. I have heard learned counsel and perused the material placed on record.

4. A perusal of the material on record reveals serious and specific allegations against the petitioner. It is alleged that the petitioner, in active collusion with other co-accused, misappropriated a substantial sum of Rs.16,36,120/- belonging to the Gram Panchayat. Further, it is alleged that the petitioner forged the signature of the then Panch, Sukhwinder Kaur, at 46 different places in the official proceedings book of the panchayat in order to fabricate records and conceal the misappropriation.

5. These allegations are not only serious in nature but also strike at the core of public trust and the integrity of local self-governance institutions. The acts attributed to the petitioner cannot be said to be innocuous or merely procedural; rather they reveal a prima facie concerted effort to defraud public funds through falsification of official documents.

6. The delay in registration of the FIR, cannot in itself override the gravity of the alleged offences, particularly when the nature of the allegations prima facie reflects a sustained and deliberate act of criminality. The argument that no recovery is to be effected from the petitioner, is also of limited relevance at this stage, given the documentary nature of the offences and the requirement for custodial interrogation to unravel the broader conspiracy and identify the full extent of culpability.

7. In view of the serious and specific allegations against the petitioner involving forgery and misappropriation of public funds, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.
8. Present petition stands dismissed accordingly.
9. 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.

(MANJARI NEHRU KAUL)
JUDGE

April 21, 2025
sanjeev

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