



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

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CRM-M-20908-2025

Date of decision: May 1st, 2025

Balora Singh @ Balore Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail in FIR No.44 dated 27.09.2024 under Sections 13(1)A, 13(2) of The Prevention of Corruption Act and Sections 409, 465, 466, 467, 120-B of the IPC, registered at Police Station Vigilance Bureau Range Amritsar, which pertains to large-scale embezzlement of public funds disbursed by the State Government as compensation for crop damage in the year 2018, to beneficiaries of Village Kalia, District Tarn Taran.

2. Learned counsel for the petitioner has, at the outset, submitted that the petitioner has been falsely implicated in the present case, and no substantive role has been attributed to him in the manipulation of the records or misappropriation of funds. It is argued that the primary responsibility for the preparation of the assessment and disbursement registers rested with one Hardev Singh, Patwari, and not the petitioner. It is further submitted that the allegations are documentary in nature, and the entire record is already in possession of the investigating agency; hence, custodial interrogation of the petitioner

is unwarranted.

3. On a pointed query by the Court as to whether the petitioner disputes having attested the disbursement register in question, learned counsel has candidly submitted that the petitioner did, in fact, certify the same, albeit without knowledge of any wrongdoing.

4. Notice of motion.

5. Mr. H.S. Deol, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent.

6. *Per contra*, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. He, on instructions, has contended that the petitioner, in his capacity as a Panchayat Member, played an active and enabling role in the attestation of fraudulent records prepared with the intent to siphon public funds. It is submitted that the petitioner's attestation lent legitimacy to the disbursement registers, which falsely reflected inflated land holdings and included fictitious or ineligible beneficiaries. Learned State counsel has further submitted, on instructions, that the fraud was systematic and orchestrated with the connivance of revenue officials and local representatives, including the petitioner.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. Before proceeding further, it would be apposite to briefly recapitulate the relevant factual background as emerging from the contents of the FIR annexed as Annexure P-1. The FIR is based on a detailed vigilance inquiry initiated on the basis of a complaint, which revealed that compensation to the tune of approximately ₹30 lakh sanctioned by the Government of Punjab for crop loss in Village Kalia.

The inquiry disclosed that the assessment and disbursement registers were fraudulently prepared in the same handwriting at the time of disbursement in 2020, and bore forged or non-verifiable signatures. The compensation was credited to bank accounts opened in the names of landless villagers, with several recipients receiving amounts grossly disproportionate to their actual holdings.

9. The FIR further recites that a total embezzlement of ₹20,11,475/- has been unearthed, wherein compensation was falsely claimed by persons who were either ineligible, fictitious or whose land holdings were inflated on paper. The petitioner is specifically named as having attested the disbursement register along with co-accused Gurdev Singh, Lambardar, at the behest of the Naib Tehsildar. The attestation was critical in facilitating the disbursement of the misappropriated funds, and thereby constituted a foundational act in the chain of the alleged criminal conspiracy.

10. The role, therefore, attributed to the petitioner is neither vague nor peripheral, as a Panchayat Member, he was duty-bound to uphold transparency in village administration, particularly in matters involving public funds. Instead, allegedly, he knowingly attested fraudulent registers, thereby enabling diversion of State compensation to undeserving beneficiaries. His attestation was not a mere formality- it formed the basis for the legitimacy of the disbursement process.

11. The argument of the learned counsel that the case is purely documentary, and that custodial interrogation would serve no purpose, is also not persuasive at this stage. The investigation in cases involving economic offences, particularly when involving multiple actors acting in concert, often requires custodial interrogation to uncover the deeper

nexus, identify the full scale of misappropriation, and recover misappropriated public funds. The petitioner's custodial interrogation may thus be necessary to identify the larger conspiracy, the role of each accused, and trace the flow of funds.

12. Economic offences involving public money are to be viewed with seriousness, especially when they reveal a systemic abuse of administrative processes. The present case does not reflect an isolated or inadvertent error but *prima facie* points to a deliberate and orchestrated fraud carried out with active participation of all the accused, including the petitioner.

13. In view of the gravity of allegations and the active role attributed to the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

14. Accordingly, the instant petition stands dismissed.

15. 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.

May 1st, 2025

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes