IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

263 **CRM-M-26947-2025**
Date of Decision: 05.08.2025

DALJIT SINGH GILL **…Petitioner(s)**

Versus

STATE OF PUNJAB **…Respondent(s)**

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. S. S. Rangi, Advocate with
Mr. Fateh Sahota, Advocate and Mr. Rupinder Mundi, Advocate
for the petitioner.

Mr. Chanchal K. Singla, Additional Advocate General, Punjab.

Mr. S. P. S. Sidhu, Advocate
for the complainant.

TRIBHUVAN DAHIYA, J. (Oral)

This is a petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail in case FIR No.133 dated 03.10.2024, registered under Sections 316, 318(3), 61(2) of BNS (Sections 336(3) and 338 of BNS added later on), at Police Station Machhiwara, Khanna, District Ludhiana, Punjab.

2. The petitioner is accused of misappropriating money lying in the account of Gurudwara Gani Khan Nabhi Khan while executing the building work of a Gurughar.

3. Learned counsel for the petitioner contends that the Gurughar was in fact got constructed, and the alleged amount was spent in constructing it. The petitioner has been implicated only due to party politics. Besides, the offences are triable by a Magistrate, and the petitioner is in custody since

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11.11.2024. Investigation in the case is already over, as the challan stands presented on 08.01.2025; charge has also been framed on 13.03.2025. He further contends that as per the affidavit filed by the State, dated 31.07.2025, an amount of ₹17,00,000 has been transferred into the petitioner's bank account. And to establish his *bona fides*, the petitioner has already deposited the said amount with the trial Court. It has been kept in the form of FDR and is to be released depending upon final outcome of the trial, as directed by this Court vide order dated 02.08.2025.

4. Learned State counsel assisted by learned counsel for the complainant contend that apart from the aforesaid amount, the affidavit also mentions that another amount of ₹18,00,000 was transferred into the account of the petitioner's cousin (Simranjit Singh Dhillon), who alleged that the petitioner had taken the entire amount from him in cash. Learned State counsel also contends that further investigation to trace additional funds suspected to have been routed to the petitioner's account(s), is going on to ascertain full extent of misappropriation of funds. He, however, does not dispute the petitioner is in custody since 11.11.2024, as also filing of final report in the case on 08.01.2025. It is also not disputed that none out of seventeen prosecution witnesses has been examined so far; and that the said cousin of the petitioner has not been nominated as an accused in the case.

5. Submissions made by learned counsel for the parties have been considered.

6. Apparently, trial of the case will take some time to conclude, as examination of prosecution witnesses is still to commence. The petitioner has already deposited the amount alleged to have been wrongly transferred to his

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account with the trial Court. Accordingly, no useful purpose will be served by confining him into custody any longer.

7. Keeping in view the totality of facts aforementioned, the petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. In case the petitioner threatens or attempts to influence any of the witnesses and/or hamper trial in any manner, the prosecution will be at liberty to seek cancellation of his bail.

(TRIBHUVAN DAHIYA)
JUDGE

05.08.2025
Ad

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*

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