



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

CRM-M-26755-2025

Date of decision: 15th May, 2025

Pawan Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anurag Chopra and Mr. Eashan Bhardwaj,
Advocates for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.12 dated 29.04.2025 under Sections 13(2)A read with Section 13(1)A of the Prevention of Corruption (Amendment) Act, 2018 as well as Sections 409, 465, 466, 467, 468, 471, 120-B of the IPC registered at Police Station Vigilance Bureau Range Ferozepur.

2. Learned counsel appearing for the petitioner contends that the petitioner has been falsely implicated in the present case, which pertains to the alleged embezzlement of ₹ 10,74,376/- under the guise of fumigation of wheat stocks stored in Government Warehouses during the period 2018 to 2020. It is submitted that the petitioner, a contractor by profession, has been falsely implicated in the instant case for conniving with co-accused Parduman Sharma (Inspector Food Supply Department) and Dhanna Ram (Auditor, District Food Supply Office, Faridkot).

3. It has been further argued by the learned counsel that there has been an unexplained and inordinate delay of nearly 5 years in the registration of the FIR, which casts a serious doubt on the veracity and bona fides of the prosecution. Still further, it has been submitted that a detailed inquiry dated 30.04.2024, conducted by the SSP, Faridkot (Annexure P-7) had exonerated the petitioner of any wrongdoing. Additionally, the petitioner alleges male fides on the part of the complainant, who is claimed to be a rival contractor, with a prior history of initiating frivolous complaints against him.

4. It is also contended that the allegation regarding an audio recording purportedly capturing the petitioner demanding illegal gratification is unsubstantiated, as no such recording has been produced before the Investigating Agency.

5. Notice of motion.

6. Mr. H.S. Deol, Sr. Dy. Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

7. Learned State counsel, on instructions from ASI Baldev Raj, has vehemently opposed the prayer and submissions made by the counsel opposite. He submits that there are specific and serious allegations levelled against the petitioner in the FIR in question (Annexure P-1). It is submitted that during the years 2018 to 2020, the petitioner, in collusion with the co-accused who are officials of the Food and Supply Department, prepared a forged bill dated 18.06.2021 amounting to ₹10,74,376/- for alleged fumigation work, whereas, in reality, no such fumigation was ever carried out. However, the petitioner had received payment for the fumigation work which was not even done, directly from the department based on fraudulent documentation.

8. On further instructions, learned State counsel has submitted that custodial interrogation of the petitioner is imperative for the purpose of

recovering the forged documents and tracing the flow and end-use of the embezzled money.

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

10. Before proceeding further, it would be pertinent to reproduce the allegations levelled in the FIR which has been annexed as Annexure P-1:

“The complainant Sh.Ashok Kumar son of Lachhman Das, resident of Rogar Basti, Bathinda Road, District Faridkot, has levelled allegations against Amandeep Grover and FSO (Food Supplies Officer) Jaitu, Inspector Pradyuman Sharma, Food Supply, Jaitu, Dhanna Ram Auditor, District Office Faridkot, and contractor Pawan Kumar that all of them, in connivance with each other, prepared a fake bill No. 44 dated 18.06.2021 amounting to Rs.10,74,376/- regarding fumigation (application of pesticides and covering/uncovering of wheat) of wheat stored in warehouses from the year 2018 to 2020 and by making payment to contractor Pawan Kumar through mutual collusion, caused financial loss to the Government. Apart from this, an attempt was also made to claim another amount of Rs. 14,46,431/-, thereby further causing financial loss to the Government. During the verification of Complaint Number 75/2024-Faridkot, Paramjit Monga son of Kashmiri Lal Monga, resident of Bhagat Singh Road, near Jaitu Chungi, Kotkapura, District Faridkot, Inspector Food Supply Jaitu, now Inspector Food Supply Kotkapura, District Faridkot, recorded his statement dated 12.09.2024 stating therein that: I am a resident of the aforesaid address and today I have appeared at the office of Vigilance Bureau Range Bathinda in connection with the above-said complaint. Upon being asked by your good self, I clarify that the voice in the viral audio recording related to the complaint is mine, and Pradyuman Sharma, Incharge, Food Supply Office, Jaitu, and the dealing hand of the District Office, Dhanna Ram, in collusion with each other, prepared

fake bills and fraudulently received Rs.10,74,376/- from the Government and prepared another bill of Rs. 14,46,431/- (total Rs. 25,20,807/-), which was being submitted for payment. The voice opposing this fraud is mine. I also want to inform your good self that as per the conversation in the said recording, without my knowledge and without my signatures, the two bills amounting to Rs. 25,20,807/- regarding the application of pesticides on wheat in the two godowns under my joint custody, namely Brar Open Plinth Jaitu and Sachdeva Open Plinth Jaitu, were submitted to the District Office by Pradyuman Sharma in collusion with the District Office Auditor Dhanna Ram. Moreover, no work was carried out in the godowns by the contractor, and the work of covering/uncovering of wheat and cleaning of the godowns that was done under my supervision incurred very minimal expenses. They conspired together and falsely mentioned backdated work, exaggerated the figures manifold, and prepared bills of Rs. 25 lakh for claiming the amount from the Government. Regarding the fake bill for the treatment of wheat with pesticides to prevent spoilage, I had submitted in writing to the dealing hand Dhanna Ram even before the bill was passed.

Despite this, Dhanna Ram, in collusion with Pradyuman Sharma, made a fraudulent payment of Rs.10,74,376/- to the contractor who had done no work in the godowns under my joint custody and also got funds of the second bill amounting to Rs.14,10,431/- allotted from Chandigarh. Here, I further clarify to your good self that in the recording, Dhanna Ram, the dealing hand, and Pawan Kumar, the contractor, are offering me a share of the money from the said fake bill in exchange for my silence, which I have refused, and in the recording, Dhanna Ram is heard saying regarding the fake payment that I have given this cheque to Pradyuman Sharma for distribution of the bill amount, he will come to you and give you your share, and after taking your share, you shall write that you have no

objection to the bills being claimed by Pradyuman from your godowns. Upon my strong opposition to this, Dhanna Ram is saying that you may go and lodge a complaint against us wherever you want. I respectfully submit to your good self that since bogus official records have been prepared and payments have been taken regarding the godowns under my joint custody, appropriate action may kindly be taken against the accused persons and the wrongfully claimed government funds be deposited back into the Government account. The statement has got been recorded in writing, read over and admitted to be correct. Further, during verification, Paramjit Monga son of Kashmiri Lal Monga, resident of Bhagat Singh Road near Jaitu Chungi, Kotkapura, District Faridkot, Inspector Food Supply Jaitu, presently Inspector Food Supply Kotkapura, District Faridkot, recorded another statement dated 27.01.2025 stating that: I am presently posted as Inspector Food Supply, Kotkapura, District Faridkot. During the verification of this complaint, I have already recorded a previous statement with your good self, and continuing in that series, I now state upon your query that for the crop season year 2019-20, the wheat purchased by the PUNGRAIN agency at Brar Open Plinth (in which myself and Jaswinder Singh) and Sachdeva Open Plinth (supervised by Pradyuman Sharma, Jaswinder Singh, and myself), the fumigation work was carried out by me. Regarding this, a fake fumigation bill number 44 dated 18.06.2021 amounting to Rs.10,74,376/- was prepared by Pradyuman Sharma, and in collusion with Junior Auditor Dhanna Ram, it was drawn in the name of contractor Pawan Kumar. I had recorded two audios on my mobile phone regarding Dhanna Ram, Auditor, and contractor Pawan Kumar. One recording is between me and Dhanna Ram, in which I am telling Dhanna Ram that this bill is fake and you should not pass it.

In response to which Dhanna Ram told me that you will receive your share from the said bill. The second recording is

between me and contractor Pawan Kumar alias Bhola Sethi, in which I am telling Pawan Kumar, the contractor, that since you have done no work in my godown, then why are you getting a fake bill passed. In response, Pawan Kumar, the contractor, says that you will get your share from the said bill. The aforementioned recordings were made by me using a mobile phone of Samsung company, which I had purchased second-hand, and which was approximately 2 years old. Due to a damaged screen, I had purchased a new mobile phone and kept this phone at home. I searched extensively for this phone, but I am unable to locate it at present. However, whenever I find the phone, I will immediately submit it before your good self. I respectfully submit that Pradyuman Sharma, in collusion with Dhanna Ram, Auditor, got the above said fake bill prepared and facilitated the payment to contractor Pawan Kumar, and has also prepared another fumigation bill amounting to Rs. 14,46,431/-, which is still pending for payment. Therefore, appropriate legal action may kindly be taken against them. The statement has been written, read over, and is correct.

It has been found during the verification of Complaint No. 75/24 Faridkot that according to letter No. A-7-2022/5089 dated 23.12.2022 from the office of District Manager, PUNGRAIN, Faridkot, the warehouse-wise details of fumigation bills should be available for the wheat stored in the godowns. However, bill No. 44 dated 18.06.2021 amounting to Rs. 10,74,376/- has been made as a single bill for five godowns, and no diary or dispatch number has been mentioned on it. Another similar bill amounting to Rs. 14,46,431/- is also mentioned in the same letter No. A-7-2022/5089 dated 23.12.2022 from the District Manager, PUNGRAIN, Faridkot, which also bears no diary or dispatch number and has not yet been passed. Whereas, as per letters No. 337 and 338 dated 10.08.2021 from the Inspector (PUNGRAIN) Jaitu, the details of the godowns at Jaito Centre from 01.04.2020 to 30.09.2020

and from 01.10.2020 to 31.03.2021 were sent to the District Controller, Food and Supplies, signed by the Inspectors including AFSO on PG 86-PR 03. The said bill No. 44 dated 18.06.2021 amounting to Rs.10,74,376/- was passed without any date written beneath the signatures of the suspect, and only the cheque issuance date of 03.08.2021 was written, which puts the suspect under suspicion for having signed the bill without diary dispatch number and without a, date. Along with the complaint, the audio recording, transcript presented by complainant Ashok Kumar, and the pen drive, in which one of the audio recordings is between Inspector Paramjit Monga and Auditor Dhanna Ram, have been submitted, wherein Paramjit Monga is telling Dhanna Ram that the bill is fake and that it should not be passed. In response, Dhanna Ram tells him that he will receive his share from the said bill.

In the recording, when the Inspector raises an objection, he is being pressured to remain silent by accepting a large amount of money, and is being told that even if he lodges a complaint, nothing will happen. He is told, "I will make two trips to Chandigarh; do not create a scene and take your share." The second recording is between Inspector Paramjit Monga and contractor Pawan Kumar alias Bhola Sethi, in which he is telling Pawan Kumar, the contractor, that since he did not perform any work in his godown, then why is he getting a fake bill passed. In response, Pawan Kumar, the contractor, tells him that he will receive his share from the said bill.

The documents submitted by the complainant include a letter dated 13.08.2021 bearing number 350 from AFSO Jaitu Amandeep Grover, addressed to the District Controller Faridkot and Deputy Director Ferozepur, wherein it has been brought to their notice that despite repeated instructions from the Inspectors, the bills are not being submitted because the work that has not been done is being shown as completed, and false claims are being made to the department for wrongful

financial gains. As a result, there is suspicion that the Inspectors are causing financial loss to the government.

Furthermore, with respect to the above said bills, AFSO Jaitu Amandeep Grover has continuously issued communications to the Inspectors-specifically letter number 329 dated 06.08.2021 in reference to previous letter number 322 dated 05.08.2021 highlighting the non-submission of records related to these bills. This further indicates the suspicion of financial loss being caused to the government. Amandeep Grover, AFSO Jaito, has also regularly written to the District Controller Faridkot and Deputy Director Ferozepur through letter number 326 dated 06.08.2021, wherein it has been stated that the Inspectors are not executing the work in the godowns and are deliberately allowing rain to damage the wheat, and that action needs to be taken.

These records were obtained by the complainant through RTI, and upon perusal, it was also revealed that some additional letters were issued without any letter number and without the signature of AFSO Amandeep Grover. From the language used in those letters, it is evident that instead of writing and getting daily PG-86 reports signed by the officers on a daily basis, a collective report covering six months has been prepared. Attempts have been made to falsely claim bogus and illegitimate amounts from the department for work that was never carried out. Pressure is being exerted on officers to obtain their signatures. The AFSO has written that the dates mentioned on these bills are fabricated, and that undue pressure is being exerted to obtain signatures on these bogus bills by means of blackmail. Contractor Pawan Kumar, in his statement, has admitted that he does not possess any GST number and yet has executed works amounting to crores of rupees.

During the verification of the allegations mentioned in the complaint so far, the facts found on the record file confirm

that Inspector Pradyuman Sharma, Food Supply Jaitu, and Dhanna Ram, Auditor, District Office Faridkot, by misusing their official positions with malicious intent, jointly prepared a fake bill No. 44 dated 18.06.2021 amounting to Rs.10,74,376/- for applying medicine/pesticides and for covering/uncovering (fumigation) of the wheat stored in godowns, and disbursed the said amount to contractor Pawan Kumar in collusion with each other, thereby causing financial loss to the government.

Hence, a prima facie case is made out against Inspector Pradyuman Sharma, Food Supply Jaitu, Dhana Ram, Auditor, District Office Faridkot, and Pawan Kumar, Contractor, under Sections 13(2) read with 13(1) (a) of the Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018, and Sections 409, 465, 466, 467, 468, 471, and 120-B of the Indian Penal Code. Accordingly, for the purpose of registration of the FIR, the draft complaint is being forwarded along with the relevant documents to ASI (LR) Baldev Raj, No. 857/SMS, posted at Police Station Vigilance Bureau, Ferozepur. Further, during the investigation of the case, if the role of Amandeep Grover (AFSO), Food Supply Jaito, or any other officer/official of the Food Supply Department comes to light, the same shall be considered during the course of investigation.

After registration of the FIR, the original draft and a copy of the FIR be sent to me, as I shall conduct the investigation myself. Special reports shall be sent to the Area Magistrate, Faridkot, and to the senior officers. Sd/- Sandeep Singh, Inspector, Vigilance Bureau Unit, Faridkot Dated 29.04.2025.”

11. A bare perusal of the FIR reveals that the petitioner is alleged to be the direct beneficiary of substantial Government funds, allegedly obtained by fraudulent means in collusion with public officials. The allegations are not vague or sweeping but are specific in nature, prima facie backed by material

suggesting a clear pattern of financial impropriety. The forged bill of ₹10,74,376/- forms the crux of the case of the prosecution, and the petitioner is alleged to have been the ultimate recipient of these funds without rendering any actual service to the State.

12. The magnitude of the financial loss to the Public Exchequer, the involvement of Government officials, and the preparation of forged documents to facilitate the illegal withdrawal of public money constitutes grave and serious offences affecting public interest and institutional integrity. Mere delay in the registration of the FIR, in such matters involving financial trails and departmental collusion, cannot be a ground to defeat the investigation at its threshold.

13. Furthermore, the recovery of forged documents and tracing of the embezzled amounts are crucial aspects of the investigation, which cannot be effectively carried out without custodial interrogation of the petitioner.

14. In light of the above, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner, as there are specific and serious allegations supported by prima facie material. The petition stands dismissed. 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

May 15, 2025
rps

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