



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

107

CRM-M-33634-2025
Date of decision: 01.07.2025

Navy Nahar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kuldeep Singh Ahluwalia, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.49 dated 25.05.2025 under Sections 420, 409 of the Indian Penal Code, 1860 and Section 13(2) of the PC Act, registered at Police Station City Nakodar, District Jalandhar, wherein allegations of large-scale misappropriation of government funds have been levelled against him while he was serving as a clerk in the Nagar Council, Nakodar.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and that he, being a clerk, had no authority to sanction or release funds under the Pradhan Mantri Awas Yojana (Urban) and the Swachh Bharat Mission. It is contended that no *mens rea* can be attributed to the petitioner, and the alleged diversion of funds took place due to systemic lapses rather than deliberate intent. Attention has also been drawn to the fact that the alleged embezzled



CRM-M-33634-2025

amount has since been deposited with the Nagar Council, and that the petitioner has already been subjected to a departmental enquiry, whereupon a chargesheet has been served upon him. On this premise, it is argued that custodial interrogation of the petitioner is not warranted.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. At the outset, it must be noted that the allegations against the petitioner are not only serious in nature but also pertain to the diversion of substantial public funds, amounting to Rs.13.45 lakhs, earmarked for the implementation of critical welfare schemes targeted at economically weaker sections. It transpires from the material on record that the investigating agency has gathered material *prima facie* indicating the active involvement of the petitioner in manipulating beneficiary data and tampering with digital records on the Public Financial Management System (PFMS), Portal, thereby facilitating the fraudulent disbursement of funds to ineligible or fictitious beneficiaries.

5. The subsequent deposit of the embezzled amount, even if accepted, cannot be construed as a mitigating circumstance sufficient to dilute the gravity of the alleged offence. The systemic nature of the financial irregularities and the digital trail left behind necessitate a custodial interrogation to unearth the full scope of the conspiracy, the possible involvement of other officials, and the extent of procedural compromise within the functioning of the Municipal Council.

6. In such circumstances, where the allegations pertain to a well-orchestrated economic offence involving public funds, the grant of



CRM-M-33634-2025

anticipatory bail would not only hamper effective investigation but may also send a wrong signal, undermining the sanctity of anti-corruption enforcement.

7. In view of the above and considering the seriousness of the allegations and the necessity of custodial interrogation for a fair and thorough investigation, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

8. 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.

01.07.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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