



CRM-M-40477-2025

1

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

104

CRM-M-40477-2025

Date of decision: 13.08.2025

Manjinder Singh

....Petitioner

V/s

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Ms. Suresha Rani, Advocate for the petitioner.

Mr. Gurpartap S. Bhullar, AAG Punjab.

\*\*\*\*\*

**SUMEET GOEL, J. (Oral)**

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner in case bearing FIR No.0434 dated 13.12.2024, registered for the offences punishable under Sections 318(4) [420 of IPC], 316(5) [409 of IPC], 61(2) [120-B of IPC], 238 [201 of IPC] of the BNS, 2023 and Section 65 of the IT Act, 2000 at Police Station City Ferozepur, District Ferozepur.

2. The FIR in question was registered on the written complaint moved by the Block Development and Panchayat Officer (BDPO), Ferozepur alleging that under the Central Government scheme regarding 15<sup>th</sup> Finance Commission, E-gram Swaraj Portal has been made and for the smooth functioning of the said portal, the BDPO can appoint computer operator after passing the resolution. Accordingly, 03 computer operators (including petitioner herein) were appointed who were looking after the entire working of the E-Gram Swaraj Portal. After the panchayat election, a meeting was convened by the ADC(D), Ferozepur regarding the 20% of the



samiti share and the operators were accordingly directed to prepare plan regarding the grant and the same to be uploaded on E-Gram Swaraj Portal. It was further alleged that when the BDPO, Ferozepur called for the accounts from the E-Panchayat and Account Branch regarding the grant, he was apprised by one of the employee namely Subhdeepak Bajaj that an amount of Rs.1,80,87,591/- from the samiti account had been transferred to the firm namely M/s Ranjit Tiles Industry in 11 installments on various dates and while making the payment, dongal of BDPO and Chairperson, Panchayat Samiti, Ferozepur had been used. A preliminary inquiry revealed a large-scale misappropriation of the 15th Finance Commission's Panchayat Samiti share (i.e. ₹1,80,87,591) in Ferozepur, meant for the distribution to Gram Panchayats. It has been further noticed that the funds were irregularly transferred in multiple installments to M/s Ranjit Tile Industry without any resolutions, meetings or due approvals of the competent authority. Furthermore, evidence indicates collusion between E-Panchayat staff namely Mr. Manjinder Singh (petitioner herein), Mrs. Rekha Devi, Mr. Shubhdeepak Bajaj and Zila Parishad employee Mrs. Jaspreet Kaur, who manipulated e-Gram Swaraj credentials, dongles, and OTP verifications bypassing official authorization. The transactions involved false contact details of BDPO and Chairperson authentication. The alleged payment had been made on the basis of OTP received on the registered mobile numbers which the accused had manipulated. As per the government instructions, after the transfer of BDPO, new ID had to be prepared regarding E-gram Swaraj Portal and it was the duty of the operators to upload the ID on portal but the operators had not uploaded the ID on the portal. On the basis of the



aforesaid complaint, instant FIR has been registered against the accused (including the petitioner herein) and investigation ensued.

3. Learned counsel for the petitioner has iterated that the petitioner is innocent and has been falsely implicated into the FIR in question. Learned counsel has further iterated that the FIR, on the face of it, discloses no offence against the petitioner and there is an unexplained delay of 17 days in registration of the FIR. According to learned counsel, the alleged embezzlement pertains to Block Samiti funds not the Gram Panchayat funds. It has been argued that the petitioner serves as a Data Entry Operator (E-Panchayat) under the Gram Panchayat in the office of the BDPO, Ferozepur, and has no administrative or financial control over the Block Samiti funds. Furthermore, the disbursement of any Panchayat funds requires OTP-based authorization via e-mail from the DPM, BDPO, Chairman, Block Samiti, and ADC (General) and as such the petitioner has no independent authority to release the funds. Learned counsel asserts that the allegations levelled against the petitioner in the impugned FIR are entirely baseless and devoid of any credible or cogent material. Furthermore, the petitioner has no connection whatsoever with the alleged offence as there is no direct pecuniary benefit to the petitioner. It has been further iterated that no specific role whatsoever has been attributed to the petitioner. According to learned counsel, in the absence of substantive and incomplete material, the entire prosecution narrative is nothing but an abuse of process. It has been further argued that there is no need for custodial interrogation of the petitioner, as nothing incriminating remains to be recovered from him. Moreover, there is no likelihood of the petitioner absconding from the



process of justice in case he is enlarged on pre-arrest bail. On strength of these submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel (on the strength of advance notice) has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. He submits that the petitioner has been specifically named in the FIR in question as the allegations pertain to a serious financial fraud involving misappropriation of ₹1,80,87,591 of Panchayat Samiti funds. Furthermore, the petitioner, though working as a Data Entry Operator, had active involvement in the e-Gram Swaraj portal operations, including preparation of vouchers, manipulation of credentials, and facilitates the payments to the private firm in question without requisite approvals. According to learned counsel, the misuse of dongles and misuse of OTP on the linked mobile numbers indicates a well-planned conspiracy in collusion with other officials. Learned State counsel has submitted that the given the magnitude of the offence, custodial interrogation of the petitioner is essential to unearth the wider conspiracy, trace the money trail, and for the recovery of public funds. He has further emphasized that releasing the petitioner on bail at this crucial stage may hamper the ongoing investigation and potentially lead to tampering with evidence or influencing of witnesses. Accordingly, a prayer has been made for the dismissal of the instant petition.

5. I have heard learned counsel for the rival parties and have perused the paper book with their able assistance.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. The FIR *ibid* disclosed a grave financial fraud involving the misappropriation of



₹1,80,87,591/- from Panchayat Samiti funds. While serving as a Data Entry Operator, the petitioner is alleged to have played an active role in the functioning of the e-Gram Swaraj portal, including the preparation of vouchers, manipulation of login credentials and facilitation of payments to a private entity without obtaining the mandatory approvals. It is further alleged that the petitioner, alongwith co-accused, misused the official dongles and OTPs linked to designated mobile numbers thereby pointing to well orchestrated conspiracy in collusion with other public officials. The allegations, as borne out from the FIR and the material collected so far, *prima facie* indicate the active involvement of the petitioner in the preparation and processing of payment vouchers, use of un-authorized credentials and facilitation of large transfers of public funds in collusion with other co-accused. The magnitude of the alleged fraud coupled with the manner in which official process was bypassed, raises serious concerns requiring thorough investigation. The contention regarding the delay of 17 days in lodging the FIR does not, in the present facts, dilute the gravity of the allegations. The plea of absence of direct pecuniary benefit to the petitioner is also not persuasive at this stage, since criminal liability may arise from participation in a conspiracy or facilitation of the offence. The role of the petitioner as also the *modus operandi* adopted alongwith the identities of other beneficiaries can only be effectively unearthed through custodial interrogation.

7. The investigation is at nascent stage and the recovery of crucial documentary evidence coupled with other circumstances detailed in the investigation, points towards the active complicity of the petitioner in the alleged offence. The stand of the State before this Court is that the custodial



interrogation of the petitioner is indispensable as the petitioner has embezzled an amount of Rs.1,80,87,591/-. The nature and gravity of the offence, involving embezzling the government funds, necessitate a thorough investigation, which, at this stage, cannot be conducted without the petitioner being in custody. Moreover, no exceptional or compelling circumstance has been demonstrated which would warrant the grant of anticipatory bail in such a serious offence. The petitioner, in a calculated and fraudulent manner siphoned off the government funds which indicate a well-planned conspiracy in collusion with other officials.

8. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusation of the petitioner. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Supreme Court held as under : (SCC p.189, para 6)

*“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the*



*suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”*

9. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand. Given the seriousness of the offence, the substantial amount involved and the potential tampering of electronic evidence, this Court finds no ground to grant the extraordinary relief of anticipatory bail to the petitioner.

10. *Ergo*, it is ordained thus:

- (i) The petition in hand is dismissed being devoid of merits.
- (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
- (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)  
JUDGE

August 13, 2025  
*Ajay*

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