



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

CRM-M No.53189 of 2024
Date of decision: 26th May, 2025

Savita Bansal & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate for the petitioners.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioners are seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.32 dated 18.07.2024 under Sections 420, 406, 465, 467, 468, 471, 120-B of IPC and Section 13(1)(a) and 13(2) of the Prevention of Corruption Act, 1988 registered at Police Station Vigilance Bureau, District Patiala.

2. Learned senior counsel for the petitioners has strenuously urged that the petitioners have been falsely implicated in the instant case, which pertains to alleged embezzlement of public funds by forging resolutions and fraudulently opening a bank account in the name of Adarsh Cooperative Society. Inviting attention to the contents of the FIR annexed as Annexure P-1, it is further contended that the FIR was

registered nearly 6 years after the purported financial transactions, thereby casting a serious doubt on the veracity of the allegations and suggesting mala fide intent.

3. It has still further been submitted that petitioner No.1, a woman, was duly authorized by resolutions dated 10.01.2016 and 30.01.2016, allegedly passed by the said Society to open and operate account No.35480338571 with the Central Bank of India, Nabha. The resolution dated 10.01.2016 purportedly vested in her the authority to manage the account. It has been contended that no discrepancy was ever reported during the statutory audits held every 6 months, which reinforces the genuineness of the said resolutions. Further, it has been submitted that the petitioners had no role in the transfer of funds to the said account and were merely involved in their withdrawal, which was affected strictly on the basis of checks duly signed by the then President of the Municipal Council and the Executive Officer.

4. Learned senior counsel has also pointed out that one of the co-accused, Rajneesh Kumar Mittal, under whose signatures the cheques were issued, has already refunded the allegedly misappropriated amount to the Municipal Council. It is further submitted that the petitioners have joined the investigation in compliance with the previous directions of this Court and have fully cooperated with the Investigating Agency.

5. Per contra, learned State counsel, upon instructions, has vehemently opposed the prayer of learned senior counsel for the petitioners. It has been submitted, on instructions, that the petitioners are

facing grave and specific allegations relating to the misappropriation of a significant amount of public money, totalling ₹21,84,45,551/-, through fraudulent means.

6. The learned State counsel has contended, on instructions, that the resolutions dated 10.01.2016 and 30.01.2016, relied upon by petitioner No.1 to justify the opening and operation of the account in question, are forged and fabricated. It has been categorically submitted that Haripal, President of Adarsh Cooperative Society, categorically deposed that neither petitioner No.1 nor petitioner No.2 were members of the of the said Society, nor were they ever authorized to operate any bank account in its name.

7. The Inspector of Cooperative Societies, Rupinder Kaur, has further confirmed as per the learned State counsel that the names of the petitioners do not appear in the membership records of the Society for the period 2014 to 2023. Moreover, the resolutions in question were never attested by the competent authority, thereby rendering them devoid of any legal sanctity.

8. It has still further been pointed out by the learned State counsel that the audit reports of the Society for the relevant period reveal that no public work was undertaken by the Society, and that there exists no record of any tender or e-tender having been awarded to the Society by the Municipal Council, Nabha. The learned State counsel, has on instructions, further contended that fake running bills were prepared and large sums were fraudulently transferred from the general

account of the Municipal Council to the bank account of the Society, from which they were subsequently withdrawn by co-accused Ramandeep Bansal.

9. Learned State counsel has still further emphasized that the petitioners, despite claims to the contrary, have not cooperated with the investigation, and their custodial interrogation is essential for uncovering the wider conspiracy and modus-operandi employed in the commission of the offence.

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

11. The allegations against the petitioners are serious, specific, and prima facie well substantiated. There is a clear and prima facie case of forgery of official documents, fraudulent opening and operation of a bank account in the name of a Cooperative Society, and large scale misappropriation of public funds in connivance with public officials as well as private individuals.

12. The documentary evidence referred to by the learned State counsel, particularly the statements of the President of the Society and Inspector of Cooperative Societies, as well as the audit findings, lend substantial credibility to the case of the prosecution at this stage. The alleged misuse of forged documents to siphon off public money raises significant questions of public interest, and financial propriety.

13. Furthermore, the alleged failure on the part of the petitioners to cooperate with the Investigating Agency reinforces the need for their

custodial interrogation to thoroughly probe the extent of the conspiracy. In the facts and circumstances, as enumerated hereinabove, no ground is made out to extend the extraordinary concession of anticipatory bail to the petitioner in the present case. The petition as such 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 26, 2025
rps

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