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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CRM-M-50142-2025 (O & M)
Date of Decision:12.09.2025

Tejinder Kumar

.... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ashish Tewatia, Advocate,
for the petitioner(s).

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail to the petitioner in case FIR No.05 dated 24.01.2025 under Sections 7, 13(1)(A) read with Section 13(2) of the Prevention of Corruption Act, Sections 61(2), 316(2), 316(5), 318, 318(4), 336(3), 338 and 340(2) of BNS, 2023 and Sections 43, 66-C of Information Technology Act, registered at Police Station Anti Corruption Bureau, District Faridabad, Haryana.

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2. The present FIR came to be registered at the instance of Satya Pal, HPS, Deputy Superintendent of Police, Anti Corruption Bureau, Fardiabad Range, Faridabad and reads as under:-

To Station House Officer, Anti-Corruption Bureau, Faridabad. Memo No. A4-4-2025/2707 dated 23.01.2025 was received in the office of ADGP, ACB, Haryana from DG Development and Panchayat Department, Haryana with a request for a registration of FIR and further legal action regarding financial embezzlement. The said Memo was sent vide e-mail to the office of ACB, Faridabad on 24.01.2025 for registration of a case and further investigation. The contents of the Memo are reproduced here. "From Director General, Development Panchayats Department, Haryana, Chandigarh. To Additional Director General of Police, Anti-Corruption Bureau, Haryana. Panchkula. Memo No. AA-4-2025/2707, Dated: 23/01/2025. Subject: Request for Registration of FIR and Further Legal Action Regarding Financial Embezzlement. Please find enclosed a copy of letter dated 21.01.2025 submitted by Sh. Arun Kumar, Chief Account Officer, Development 0/0 Development and Panchayats. Department Haryana at Chandigarh, copy of DO letter No. FAW/Central Audit/2024-25/200 dated 16.12.2024 and D.O. letter No. FAW/2023-24/2024-25/1374 dated 16.01.2025 received from Principal Accountant General (Audit) Haryana herein a serious case of financial embezzlement and unauthorized budget allocation of more than 50 Crores has been observed. Based on preliminary verification and the available evidence, it has come to light that substantial funds/budget were allocated to DDPO Palwal in financial year 2023-24 and 2024-25 from the login ID of Chief Accounts Officer, Development, at Headquarters on website of

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Finance Department without proper authorization or sanction Furthermore, as pointed out by Principal Accountant General (Audit) in the above referred D.O. letter, a significant amount of these funds has been siphoned by the BDPO, Hassanpur Office, District Palwal, through repeated payments made to a particular private firm namely M/s Deepak Manpower Service/Deepak Kumar and Other payees. It is pertinent to mention here that, as informed by CAO of this office, Budget Controlling Authority i.e. CAO in this case, allots budget to Budget Controlling Officer i.e. DDPO, Palwal in this case, for further allocation of Budget as per demand received from the respective DDOs under their control. In present case after going through the dashboard of Finance Department it has been noticed that by mentioning sanction order number as SPL-10, SPL10, SPL, 10 etc. budget was allotted to DDPO Palwal which are fake, because no record regarding demand received from concerned DDPO or sanction order from the concerned branch is available regarding these transactions. Subsequently, frivolous bills were generated by BDPO Hassanpur office to transfer these funds to a specific private firm namely M/s Deepak Manpower Service/Deepak Kumar and Other payees. The following observations substantiate the prima facie case of financial embezzlement:

- 1. Unauthorized allocation of funds from the Accounts Branch (HQ) without requisite approval from the Head of Department.*
- 2. Alleged misuse of official computer IDs and passwords to facilitate illegal fund transfers.*
- 3. Significant irregularities in fund utilization (as highlighted by the letter of Deputy Commissioner, Palwal and the DO letter received from the PAG(Audit), Haryana) at the Block Development and Panchayat Office, Hassanpur, District*



Palwal, where payments were made to a specific private firm under questionable circumstances.

Give the gravity of the matter and the involvement of substantial public funds it is requested that.

1. An FIR be registered against the officials/ individuals/firms involved in the unauthorized allocation and misappropriation of funds.

2. A thorough investigation be conducted to identify all individuals and entities complicit in the financial embezzlement.

3. Legal action be initiated against guilty parties as per relevant laws and sections. Enclosure as above., Sd/ Superintendent (Admin), For DG Development and Panchayats Department, Haryana (Chandigarh)". Further the enclosures received along with the complaint from the office of DG, Development and Panchayats Department, Haryana (Chandigarh) reveal the complicity of Rakesh, Clerk office of BDPO, Hassanpur, District Palwal etc. in connivance with Deepak Kumar proprietor of Deepak Manpower Services in siphoning out the funds of Panchayat Department. Since the above facts prima facie disclose the commission of offences u/s 7, 13(1)(a) r/w 13(2) of the PC Act, 1988 (as amended in 2018) and under Sections 61(2), 316(2), 316(5), 318, 318(4), 336(3), 338 under the B.N.S. (Bhartiya Nyaya Sahinta) and under Section 43 of the IT Act, 2000 r/w Section 66-C of the IT Act, 2000 against Rakesh, Clerk, BDPO Office, Hassanpur, District Palwal and Deepak Kumar proprietor of Deepak Manpower Services and other unknown public servants of the offices of BDPO Hassanpur, DDPO Palwal, Director Development and Panchayat Haryana and private persons, it is requested that an FIR be registered, and investigation conducted as per law.

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(Satya Pal), HPS Dy. Superintendent of Police, Anti-Corruption Bureau, Faridabad Range, Faridabad.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present cases. Eight co-accused, namely, Rakesh, Shamsheer Singh, Bijender Kumar, Gautam, Vivek Kumar, Satpal, Anoop Kumar and Deepak have been granted the concession of bail by this Court vide common order dated 04.08.2025 passed in CRM-M-40602-2025 and CRM-M-40168-2025 (Annexure P-3), common order dated 04.07.2025 in CRM-M-30535-2025 and CRM-M-32885-2025 (Annexure P-4) and common order dated 29.08.2025 passed in CRM-M Nos. 36554, 36575, 35794 and 45284 of 2025. As the petitioner is in custody since, 13.05.2025 but none of the 57 prosecution witnesses has been examined so far, the Trial of the present cases is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that the petitioner and his co-accused committed a fraud with the Government of Crores of rupees and therefore, he is not entitled to the concession as prayed for. He, however, concedes that the petitioner is in custody since 13.05.2025, none of the 57 prosecution witnesses has been examined so far and that eight co-accused have been granted the concession of bail.

5. I have heard the learned counsel for the parties.

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6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Eight co-accused, namely, Rakesh, Shamsher Singh, Bijender Kumar, Gautam, Vivek Kumar, Satpal, Anoop Kumar and Deepak have been granted the concession of bail. The petitioner is in custody since 13.05.2025 but none of the 57 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner, namely, Tejinder Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present one.

9. If any attempt whatsoever is made by the petitioner and/or his family members/friends to contact/threaten/intimidate any of the witnesses of the present occurrence, the State/complainant shall be at liberty to move an application for cancellation of bail granted vide this order.

10. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The

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same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

- 11. The petition stands disposed of.
- 12. The pending application(s), if any, shall stand disposed of accordingly.

September 12, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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