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(229)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51036-2025

Date of Decision: 16.09.2025

SUNDER LAL

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Nirmal Singh, Advocate
for the petitioner.

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

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.0001 dated 20.01.2020 registered under Sections 120-B, 409, 420, 467, 468, 471 IPC and Sections 13(2), 13(1)(d) of Prevention of Anti-Corruption Act, 1988 at Police Station ACB, Ambala, District Anti-Corruption Bureau, Haryana.

2. The present FIR came to be registered at the instance of State Vigilance Bureau, Ambala and the same reads as under:-

“Sir, Copy of the statement is as under: To, the Station House Officer, State Vigilance Bureau, Ambala. Sir, it is requested that according to the letter No. 6/10/2019-3 Vigilance-1 dated 30.12.19 of the Chief Secretary, Government of Haryana registered in the office of Director General State Vigilance Bureau, Haryana, Panchkula, vide their endorsement No. 72/1-1/S.V.B. (H) dated 03.01.2020 Superintendent of Police

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Vigilance Bureau Ambala Diary No. 25 dated 07.01.2020 was received regarding registration of case. According to which Letter No. 66 dated 23.01.2019 of the Deputy Director Industrial Security and Health Chemical Ambala, the allegation was that, Assistant Director Industrial Security and Health Chemical Ambala vide registration No. 06010016602 registered Labourer Smt. Krishna Devi R/o Village Barsana District Kaithal, her registration was done on dated 27.11.2017 by Sh. Naveen Saini, Assistant Director Industrial Security and Health Chemical Ambala, who was having Charge of Panchkula and also having additional charge of Kaithal. Who had done registration of above mentioned lady at Panchkula. Death of the Labourer has been shown as per documents produced as taken place on dated 19.02.2018, whereas death of the Labourer had since been taken place in reality on dated 19.01.2018 itself. Thus upon the Registration No. 06010016152 registration of registered Labourer Sh. Sasta Ram Village Budha Khera District Kaithal was done on dated 27.11.2017 by above named officer in Panchkula. According to the documents the death of the Labourer had taken place on dated 20.02.2018, whereas in reality the death of the Labourer had taken place on dated 20.01.2018 itself. Similarly on dated 27.11.2017 Labourer Sh. Sohan Singh/Sohan Lal Village Pundri District Kaithal register No. 06010016767 has also been registered by above named officers itself. Death of the Labourer had taken place as per documents on dated 17.03.2018, whereas in reality the death of the Labour had since been taken place on dated 17.01.2018. Upon investigation it transpired that, according all the above mentioned Registration numbers per applicant Rs. 2,15,000/- embezzlement of total Rs. 6,45,000/- has been made. Apart



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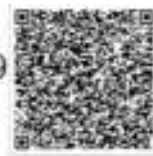
from that Labourer Balwinder Singh Village Kadauli District Yamunanagar registration No. 06010016739 has been registered by above named officer. But as per documents death of Labourer had taken place on dated 06.05.2018 whereas in reality death of above named Labourer had since been taken place on dated 16.01.2018. Upon investigation it transpired that false death certificate of above named registered Labourer was prepared due to wrong recommendation of the above named officers instead of amount of Rs. 1,15,000/- Rs. 2,15,000/- was approved, in which embezzlement of Rs. 1,00,000/- has been found committed. Similarly as per Registration Number 0605066314 Labourer Sh. Bhajna Ram S/o Sh. Soran R/o Village Segra Plot Cheeka District Kaithal registration has been done. In the office of Assistant Director Industrial Security and Health Chemical Ambala Kelo Devi W/o Late Sh. Bhajna Ram has moved application of her husband. This application has been verified and recommended by Sh. Naveen Saini. Above mentioned application has been approved by Sh. Naveen Saini Assistant Director Industrial Security and Health Chemical Ambala on dated 26.07.2018 and an amount of Rs. 1,15,000/- was issued. Registration No. 0605066314 is not of Sh. Bhajna Ram rather the same is Smt. Baby W/o Sh. Rampal Village Mayoli District Kaithal and there is no Registration at all of Bhajna Ram. Thus without any registration by making fake copy of someone by preparing false application benefit has been found granted to him, resultantly the Board has suffered embezzlement of Rs. 1,15,000/-. Apart from that registration No. 0605079936 of Sh. Vinod S/o Sh. Ram Diya was done on dated 21.12.2017, whereas his death had since been taken place on dated 01.12.2017 itself. In this matter of effort of committing



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embezzlement has been found made. Registration No. 0605073770 dated 13.11.2017 matter of benefit of death of Naresh Kumar has also been found suspicious. Apart from that Labourer Biro Devi and Miro Devi who are a Women, after her death her dependent Sh. Angrej Ram for getting benefit of death had sent two different application on different dates for approval. Both applications have been issued by above named officers, but photograph affixed upon the application is different. That by filing an application it has been found that effort has been made to commit embezzlement of Rs. 2,15,000/-. On dated 23.04.2018 amount was approved for Sewing Machine for 500 Labour Women out of which 77 males who could not be given benefit of Sewing Machine, Sewing Machine was distributed to them, that an amount of Rs. 2,69,500/- has been found distributed wrongly. Thus due to such false documents embezzlement of amount of Rs. 8,50,000/- has been found made with the Board. In the record by making alteration in the Certificates issued by the authority after the death of the persons registration was made in the back date as labourers it appears that fleecing worth Crores has been committed with the Board. Sh. Naveen Saini, Assistant Director Industrial Security and Health Chemical Ambala in connivance with other officers, took benefit of above mentioned schemes of the dependents of above named Labourers, so case may be registered against them under section 409, 420, 467, 468, 471, 120-B of I.P.C. 13(1)d, R/W, 13(2) PC Act case file along with record may be sent to Inspector Ramesh Kumar S.V.B. Sub Center Kurukshetra for further investigation. SD/- Rashpal Singh (Rashpal Singh) Inspector State Vigilance Bureau, Ambala Division, Ambala.



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Dated 20.01.2020. Today in the office of State Vigilance Bureau, Ambala Division.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He has not been named in the FIR but has been implicated 5 years after the registration of the same. The alleged defalcated amount stands deposited prior to the registration of the FIR. As the petitioner is a first-time offender, in custody since 28.05.2025 but none of the 53 prosecution witnesses has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail moreso when a co-accused Ramesh Kumar Verma has been the granted the concession of bail vide order dated 04.09.2025 (Annexure P-3).

4. On the other hand, the learned State counsel contends that the petitioner in connivance with the other accused have committed the offences in question and therefore, he is not entitled to the concession of bail. He, however concedes that the petitioner is a first-time, in custody since 28.05.2025 but none of the 53 prosecution witnesses has been examined so far and that co-accused Ramesh Kumar Verma has been the granted the concession of bail vide order dated 04.09.2025 (Annexure P-3).

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

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is a first-time offender, in custody since 28.05.2025 but none of the 53 prosecution witnesses has been examined so

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far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required moreso when co-accused Ramesh Kumar Verma has been the granted the concession of bail vide order dated 04.09.2025 (Annexure P-3).

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Sunder Lal S/o Amrit Lal 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 (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

9. The petition stands disposed of.

16.09.2025

JITESH

**(JASJIT SINGH BEDI)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:-****Yes/No**