



CRM-M-61552-2024

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

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CRM-M-61552-2024

Date of Decision: 14.01.2025

Jagdish Singh

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Harjot Goyal, Advocate for
Mr. Monty Goyal, Advocate for the petitioner

Mr. Anurag Chopra, Addl. AG, Punjab

Mr. SPS Sidhu, Advocate for
Sukhbir Singh, President, Gurdwara Sahib Gani Khan Nabi Khan
Prabhandak Committee

Mr. Gagandeep Singh Virk, Advocate for victim/
Gurdwara Sahib Gani Khan Nabi Khan

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking grant of anticipatory bail to the petitioner in case FIR No.133 dated 03.10.2024, registered under Sections 316, 318(3) and 61(2) of Bhartiya Nyaya Sanhita, 2023, at Police Station Machhiwara, Police District Khanna, District Ludhiana.

2. The petitioner is accused of withdrawal of heavy amounts from the bank account of Gurdwara Sahib/Society in cash on different dates; at that time he was working as Secretary of the Society. On 03.08.2023, balance in the Society's account was about 2.96 crores, which was reduced to 11.84 lakhs only by 19.08.2024. The investigation has revealed unauthorised bank transfers of huge amounts also to the petitioner's account as well, and to that of co-accused

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Daljit Singh Gill. This shows misappropriation of Society's money, embezzlement and fraud.

3. Learned counsel for the petitioner contends that the credited amount was transferred in the petitioner's name only to save GST for the Society.

4. Learned State counsel, on instructions, contends that it is a case of fraud and usurpation of Society's money and its transfer for personal gains by the petitioner without any authorisation. He also submits that anticipatory bail petition of co-accused Daljit Singh Gill with similar allegations has already been dismissed as withdrawn by this Court vide order, dated 06.11.2024, passed in CRM-M-55111-2024, who thereafter surrendered. Besides, investigation of the case is going on, and challan has not been presented against the petitioner as yet.

5. Looking at the facts aforementioned, this Court is also of the view that custodial interrogation of the petitioner is required to establish the facts, and unearth ramifications of the alleged fraudulent transactions. He does not deserve the concession of pre-arrest bail.

6. Petition stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

14.01.2025*Payal*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No