

**CRM-M-38874-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.219****Case No. : CRM-M-38874-2025****Decided On : September 02, 2025**

Nirmal Singh Petitioner
vs.
State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Vikram Jeet Singh, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.141 dated 01.09.2024, under Section 409 IPC, registered at Police Station Samana, District Patiala.

Brief facts of the case are that the aforesaid FIR was registered against the petitioner Nirmal Singh, who was working on the post of Secretary in "The Kakrala Co-operative Society" (hereinafter referred to as – the Society), at the instance of one Manish Mangla, Assistant Registrar of the Society, alleging therein that the petitioner had committed embezzlement of funds to the tune of Rs.29717/-, Rs.31,500/- and Rs.2,440/- during the financial year 2019-20.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. The

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misappropriation was allegedly made during financial year 2019-20. There is inordinate delay of four years in lodging the FIR in question. He further contended that out of total alleged embezzled amount, amounts of Rs.29,713/- and Rs.2,440/- had initially been paid by the petitioner to the Society. Only an amount of Rs.31,500/- stood due towards him. Learned counsel further referred to two invoices, both dated 01.11.2019 amounting to Rs.15,000/- and Rs.8,000/- to contend that both of these invoices pertain to alleged amount of Rs.31,500/-. Learned counsel further submitted that the petitioner is ready and willing to join investigation. He has urged that the petitioner is not required for any interrogation and prayed that he be granted concession of anticipatory bail.

Per Contra, learned State counsel opposed the present bail petition, while contending that the allegations levelled against the petitioner are serious in nature. The petitioner, while working as Secretary of the Society, committed criminal misappropriation of funds of the Society to the tune of Rs.61,213/-. Since he deposited some of the amount embezzled, it would be treated as admission on the part of the petitioner regarding misappropriation. During his tenure, he misused his powers thereby causing financial loss to the Society. Custodial interrogation of the petitioner is required to unearth the truth and also to know about involvement of other persons in the crime in question, if any, within the Society. So, the present petition deserves dismissal.

Heard.

As per the allegations in the present FIR, the petitioner, allegedly embezzled the amount to the tune of Rs.61,213/- of the Society. It



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is the admitted position that he had already deposited some of the amount, out of total embezzled amount. Culpability of the petitioner is to be seen during trial. No departmental inquiry was initiated against the petitioner. The petitioner is not having any criminal antecedents and no other criminal case has been registered against him. Custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending him behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

September 02, 2025

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**(SUKHVINDER KAUR)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>