



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

106

CRM-M-36290-2025

Date of decision: July 14th, 2025

Harshdeep @ Harshdeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of anticipatory bail in FIR No.111 dated 10.05.2025 under Sections 409, 417, 465, 468, 471, 120-B of the IPC and Section 7(c) of The P.C. Act registered at Police Station City, Tarn Taran.

2. Learned counsel for the petitioner, *inter alia*, submits that the petitioner is being made a scapegoat for actions done in good faith and under the direct instructions of a superior officer, Dr. Kamalpal, the then Civil Surgeon of Tarn Taran. It has been further submitted that the petitioner, a contractual District Accounts Officer, had no independent decision-making powers and was merely executing the written directions issued by the Civil Surgeon in the ordinary course of his official duties.

3. While drawing the attention of this Court to the FIR (Annexure P-1) and related materials placed on record, it has been contended by the learned counsel that the funds in question had

remained unutilized since 2021, and were subsequently directed to be utilized for public welfare activities, particularly for conducting cataract surgeries and procurement of associated consumables such as lenses. As per the learned counsel, this was done strictly in accordance with the directives issued by the Civil Surgeon.

4. It has still further been submitted that the entire process, right from floating tenders and calling quotations, to the formation and approval by a Committee, was duly recorded, and that no personal gain, pecuniary or otherwise, accrued to the petitioner. Learned counsel has also emphasized that the case is based purely on official records and correspondence, all of which are already in the possession of the investigating agency and, therefore, the custodial interrogation of the petitioner would not be necessitated in the present case.

5. Notice of motion.

6. Mr. H.S. Deol, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent.

7. *Per contra*, learned State counsel, on instructions, has vehemently opposed the grant of anticipatory bail to the petitioner. It has been submitted that the allegations against the petitioner are not confined to mere procedural lapses or administrative irregularities, but constitute a well-planned conspiracy to misappropriate public funds. Learned State counsel, on instructions, has further submitted that in collusion with the then Civil Surgeon, the petitioner facilitated unauthorized purchases amounting to ₹31,59,067/-, all executed within a single day and sourced from a solitary vendor.

8. It has been further submitted by the learned State counsel, on instructions, that no open tendering process was followed; rather,

66 separate bills were raised, each carefully kept below ₹50,000/- threshold, thereby evading mandatory financial scrutiny and circumventing applicable public procurement norms. Furthermore, although the procurement documents bear the signatures of all five members of the purported approval committee, several of those members, upon inquiry, have categorically denied affixing their signatures or having any knowledge of the said transactions.

9. In light of these facts, it has been argued by the learned State counsel that custodial interrogation of the petitioner is indispensable to verify the authenticity and source of the allegedly forged documents, identify the full scope of financial irregularities, and confront the petitioner and co-accused and material witnesses.

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

11. *Prima facie*, there are serious and substantiated allegations against the petitioner involving substantial misappropriation of Government funds. The manner in which procurement worth over ₹31 lakh was undertaken in a single day, without open tendering and through a single vendor, raises grave doubts about the transparency and *bona fides* of the entire transaction.

12. The fact that the approval committee's signatures, including that of the petitioner, are disputed by several of its purported members, further strengthens the suspicion of forgery and manipulation of official records. These are not matters that can be adequately probed through voluntary participation in investigation alone. In considered view of this Court, custodial interrogation of the petitioner is necessary to unravel the *modus operandi* adopted in the alleged conspiracy, to examine the

role of the petitioner in facilitating or concealing the irregularities, and to confront him with co-accused and documentary evidence.

13. In such circumstances, where the allegations disclose not only abuse of official position but also apparent manipulation of the procurement process and official records, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

14. Accordingly, the instant petition stands dismissed.

15. 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.

July 14th, 2025

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes