

2025:PHHC:046131



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

208

CRM-M-64838-2024

Date of decision: April 03, 2025

JASDEV SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bipan Ghai, Senior Advocate
with Mr. Nikhil Ghai, Advocate
for the petitioner.

Mr. H.S. Deol, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.239 dated 06.08.2021 (Annexure P-1) under Sections 409, 420, 120-B IPC, registered at Police Station Jandiala, District Amritsar Rural.

2. Learned Senior counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and that the allegations levelled against him are baseless and without substance. It is submitted that the petitioner was merely discharging his official duties under the supervision of senior officers and in strict adherence to established procedures. Drawing attention of this Court to the FIR in question (Annexure P-1), learned Senior counsel argues that the alleged misappropriation is an administrative issue rather than a criminal offence, and the petitioner has been unfairly singled out despite the involvement of



multiple officers in the management and supervision of the stock in question.

3. It is further submitted by the learned Senior counsel that the petitioner, in the course of his duties, segregated 1,46,140 bags of wheat stock for the year 2018-19, however, due to delays in dispatch, 93,332 bags deteriorated as they were not utilized within the stipulated three year period, leading to the formation of flour. Additionally, it is argued that 82,068 bags dispatched as part of the 2018-19 stock were, in fact, sourced from subsequent crop years, resulting in discrepancies in records.

4. It has still further been argued by the learned Senior counsel that stock of wheat stored in the Government godowns was under joint supervision, including officials such as Arshdeep Singh (AFSO), Amrinder Singh (DFSO) and DFSC Raj Rishi Mehra. The petitioner had repeatedly brought the deteriorating condition of the stock to the notice of DFSC Raj Rishi Mehra and FCI officials, urging timely dispatch to prevent spoilage. However, despite his repeated requests, the senior officers ignored the issue and instead, prioritized dispatching the stocks of subsequent years.

5. Furthermore, it has been contended by the learned Senior counsel that the petitioner has been made a scapegoat in the present case while several other responsible officials are merely facing departmental recovery proceedings instead of criminal prosecution.



6. Learned Senior counsel has emphasized that no recoveries are to be effected from the petitioner and therefore, the petitioner be granted the benefit of anticipatory bail.

7. Notice of motion.

8. On the asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab accepts notice on behalf of the respondent-State. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the learned Senior counsel, contends that the allegations levelled against the petitioner are of serious and grave nature, involving large scale misappropriation of Government wheat stock, resulting in an estimated financial loss of approximately Rs.20 crores to the State Exchequer.

9. It is submitted by the learned State counsel that the petitioner, while serving as Inspector, Food and Supply, Jandiala Guru centre, has been identified as the prime accused in the present FIR, which was registered on the complaint of District Controller, Food Civil Supplies and Consumer Affairs. Learned State counsel, on instructions, submits that the petitioner has been absconding since 31.07.2021. On 03.08.2021, Arshdeep Singh, Assistant Food and Supply Officer at Jandiala Guru informed the complainant that the petitioner had gone missing, his mobile phones were switched off, and upon visiting his residence, neither he nor his family members were found, giving rise to a strong presumption that he had absconded after causing substantial departmental losses.



10. It is further submitted by the learned State counsel that upon receiving information regarding the disappearance of the petitioner, the complainant constituted 7 teams of departmental officials to conduct a physical verification of all godowns under Jandiala Guru PUNGRAIN, which were under the custody of the petitioner. As the petitioner had taken the keys to the Government godowns along with crucial official records, the authorities, in the presence of an Executive Magistrate, were constrained to break the locks of M/s Rajpal Godown, M/s Sanjay Godown and M/s Krishna Godown at Jandiala on 05.08.2021 to facilitate inspection, following due process and videographic recording. Learned State counsel further asserts that upon verification, it was discovered that a staggering 1,93,343 bags of wheat were missing, amounting to a loss of 87,160.300 quintals, thereby causing an estimated financial loss of Rs.20 crores to the State. The investigation has also revealed that the petitioner had sent an official email informing the Department that he was travelling to Dubai with his family and had remained absent from duty, thereafter without any authorization. His sudden and unauthorized departure along with the simultaneous unavailability of his family members, lends further credence to the suspicion that he deliberately absconded after the misappropriation of Government property. Learned State counsel has argued that custodial interrogation of the petitioner is imperative to unearth the full extent of the conspiracy, identify other potential beneficiaries, and recover misappropriated stock or proceeds thereof.



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

12. The allegations against the petitioner are of an extremely serious nature involving large scale misappropriation of public property. The loss of 1,93,343 bags of wheat, valued at approximately Rs.20 crores, is not a mere departmental lapse but a grave financial fraud affecting public funds. The petitioner, who was entrusted with the responsibility of supervising and managing Government wheat stock, has *prima facie* been found to have abandoned his duty and remained untraceable since 31.07.2021. His conduct, including the unauthorized departure to Dubai and the disappearance of official documents and keys to Government godowns strongly suggests culpability rather than mere negligence.

13. The fact that the petitioner was incharge of the godowns, had exclusive possession of official records and remained untraceable after the misappropriation of wheat stock further raises a strong presumption of his involvement.

14. The magnitude of the offence, the nature of the allegations, and the conduct of the petitioner in absconding from duty and leaving the country without authorization demonstrate a *prima facie* case of deliberate misappropriation and evasion of responsibility. Given the enormity of the financial loss and the necessity for custodial interrogation to uncover the full extent of the fraud, this Court does not deem it fit to extent the extraordinary concession of anticipatory bail to the petitioner.



15. Accordingly, the instant petition stands dismissed.
16. 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.

April 03, 2025

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*