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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30441-2025

Date of Decision: 11.08.2025

Satpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Ms. Pooja Nayar Sharma, D.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
27	28.02.2025	Boha, District Mansa	409 IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. Per paragraph 17 of the bail petition, petitioner has no criminal antecedents.
3. Vide order dated 07.07.2025, interim protection was granted to the petitioner which is continuing till date.
4. The facts and allegations are being taken from the translated version of FIR, which reads as follows:

“Subject:-Complaint for registration of FIR against Shri Satpal Singh s/o Balveer Singh resident of Tahliyan, Secretary, Tahliyan Multipurpose Cooperative Agricultural Society Limited, Tahliyan, for embezzlement of Rs. 808136.68/-. Sir, regarding the above subject, the Managing Committee by sending the resolution No.1 & 2 dated 22.01.2025 is requesting that Satpal Singh son of Balveer Singh resident of Tehliyan during his tenure has committed embezzlement on different heads amounting to Rs.180000/-, 183255/- and Rs.444881.68, which comes total of Rs.808136.68/-. Inspector, Cooperative Society, has sent the resolution of society to this office with his recommendation that, FIR be registered against Satpal Singh son of Balveer Singh resident of Tehliyan, Secretary, Tahliyan



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Multipurpose Cooperative Agricultural Society Limited, Tahliyan for committing the offence of embezzlement. The copy of resolution passed by Managing Committee of Tahliyan Multipurpose Cooperative Agricultural Society Limited, Tahliyan and the recommendation letter by the Inspector, Cooperative Society is been sent to you by attaching the above said documents and it is requested to you that keeping in view the resolution passed by Managing Committee of Tahliyan Multipurpose Cooperative Agricultural Society Limited, Tahliyan and the recommendation made by the Inspector, Cooperative Society, an FIR be registered against Shri Satpal Singh S/o Balveer Singh resident of Tahliyan, Secretary, Tahliyan Multipurpose Cooperative Agricultural Society Limited, Tahliyan, for committing the embezzlement of amount of Rs. 180000/-, Rs.183000/- and Rs.444881.68/- which comes total of Rs.8,08,136.68/-. Documents are attached with the FIR as per above. Sd/ Sukhcharan Singh Chahal.”

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

6. The State's counsel opposes bail and refers to the status report.

7. It would be appropriate to refer to the following portions of the status report, which read as follows:

“6. Role of the Petitioner:-

As per the present FIR the Petitioner Satpal Singh being Secretary of the Society i.e. Tahliyan Multipurpose Co-operative Agriculture Society during his tenure misappropriated a sum of Rs.808136.68. The detailed audit was conducted by Audit Inspector, Cooperative Department and on its basis it was found that petitioner has embezzled a sum of Rs.808136.68.”

8. Counsel for the petitioner submits that more than half of the amount has been deposited by the members of the Society, as such custodial interrogation is not required. Moreover, salary of petitioner amounting to Rs.5,62,752/- is still due which is not paid by Society. Given the deposit of amount, undertaking and that the petitioner is first offender, this Court deems it appropriate to afford one opportunity to the petitioner.

9. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

10. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this



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stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

13. This order is subject to the petitioner's complying with the following terms.

14. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

15. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

16. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.



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17. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

18. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

11.08.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.