

CRM-M-19459-2014 (O&M)

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

**CRM-M-19459-2014 (O&M).
Decided on: February 10, 2015.**

Surinder Singh Pannu

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.G.S.Simble, Advocate,
for the petitioner.**

Mr.C.S.Brar, DAG., Punjab.

**Mr.Vishal Sharma, Advocate,
for the complainant.**

M.M.S. BEDI, J (ORAL)

Petitioner in the capacity as Naib Tehsildar had committed an illegality by permitting the entry of mutation in the name of Ram Dass on the basis of conveyance deed registered in the name of Amarjit Singh who was identified by Numberdar and other witnesses. The allegation against him is that while performing his duty as Assistant Collector Grade II, he changed the khasra girdawari.

I have heard the learned counsel for the petitioner, learned State counsel as well as the counsel for the complainant and gone through the police file. The main allegation against the petitioner is that he had registered a sale deed on the identification of witnesses. The challan is complete. Perusal of the police file

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indicates that till date sanction to prosecute him has not been granted and is still awaited. It will be a debatable issue during the course of trial whether the petitioner during the course of his duties registered a sale deed on wrong identification or it is a case where he has connived with the land grabbers to cause prejudice to the State exchequer. He has joined investigation. It does not appear to be a case of custodial interrogation,

On asking of the Court, it has been informed that no departmental proceedings have been initiated against the petitioner for any misconduct.

The petition is allowed. It is ordered that in case of arrest of the petitioner he will be released on bail to the satisfaction of the arresting officer subject to the conditions that he will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner. He will also not commit the similar offence of which he is accused of during pendency of the trial.

February 10, 2015.
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(M.M.S. BEDI)
JUDGE