

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-27732 of 2015

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Date of decision:28.8.2015

Satish Chander Vashishat

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. M.S. Bedi, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

Mr. K.D.S. Hooda, Advocate for the complainant.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.64 dated 11.7.2015 registered for the offences under Sections 420, 465, 468, 471 and 120-B IPC and Section 13(2) of the Prevention of Corruption Act, 1988 at Police Station Kabirpur, District Kapurthala.

I have heard learned counsel for the parties and have gone through the record.

From the record, I find that the main allegation against the present petitioner, who was posted at that time as Additional Deputy Commissioner (Development), is that he was present at the time of auction

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of the Gram Panchayat land. It is the allegation in the FIR that earlier the property was leased @ ₹3,500/- per acre on 24.5.2012 in the name of different persons, then on 5.9.2012 the land was again put to auction and it was auctioned @₹1,000/- per acre for seven years. A perusal of the Police record as well as so many inquiries conducted in this case and also the affidavit filed by the lessees shows that no specific allegations regarding the corruption or any benefit taken by the present petitioner are levelled. The main allegation against the present petitioner is that by this second auction a loss was caused to the Gram Panchayat.

The case is based on documentary evidence. The petitioner is not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find it a fit case where the petitioner is entitled for the grant of anticipatory bail. Therefore, this criminal miscellaneous petition is allowed and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 28, 2015.

(Inderjit Singh)
Judge

hsp