

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

(211)

CRM-M-28652-2015

Decided on: September 21, 2015.

Umesh Kumar

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. N.S. Shekhawat, Advocate, for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

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

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Nagrik Parishad alleging that the officials of the Municipal Committee, Sirsa and the petitioner had misappropriated the public money by not undertaking construction of Brahama Kumari Ashram street. As per the allegations, the construction work has been done at a different place i.e. Om Parkash Kilianwali street though it was ordered for the above said gali i.e. Brahama Kumari Ashram street while entrusting five development works at different places.

Application for bail has been opposed by the State counsel inter alia on the ground that without there being any sanction, the work has been undertaken by the petitioner-contractor at Om Parkash Kilianwali street.

Learned counsel for the petitioner has submitted that the petitioner has not been paid any money for the work done by him at Om

Parkash Kilianwali street and that the construction work had actually been done by him under the instructions of the officials of the Municipal Committee. The dispute, if any, appears to be of civil nature. The locus standi of the complainant will also be a debatable issue. Petitioner has already joined investigation.

Petition is allowed. Interim order dated 27.08.2015 is hereby made absolute subject to the conditions that petitioner will join investigation as and when required and will not tamper with the evidence or hamper investigations in any manner.

Nothing said in this order will prejudice the right of the public authorities to take any action against the petitioner or other person responsible for any irregularities.

(M.M.S. BEDI)
JUDGE

September 21, 2015
harsha