

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

(204)

(1)

**CRM-M-32838-2015 (O&M)
Decided on: November 18, 2015.**

Anil Kumar

.... Petitioner

Versus

State of Haryana

..... Respondent

(2)

CRM-M-32939-2015

Sandeep Raj

... Petitioner

Versus

State of Haryana

....Respondent

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

Present: Mr. Sanjiv Gupta, Advocate,
for the petitioner in CRM-M-32838-2015.

Mr. Gautam Dutt, Advocate,
for the petitioner in CRM-M-32939-2015.

Mr. D.R. Singla, DAG, Haryana.

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

This order will dispose of two applications for grant of pre-arrest bail, one (CRM-M-32838-2015) filed by Anil Kumar, Junior Engineer and the other (CRM-M-32939-2015) filed by Sandeep Raj, Municipal Engineer with Municipal Corporation, Ambala.

As per the allegations in the FIR, the petitioners connived with other officials and the contractor Karnail Singh and have misappropriated the municipal funds which were sanctioned for performing

the development work of interlocking the road near Public Health Tubewell and part of the road towards Gobind Nagar. On inquiry, it was found that no construction work had been done but false report had been given by the contractor.

After hearing learned counsel for the petitioners as well as learned State counsel and going through the record, it appears that the work of construction of road by interlocking tiles has actually been done at a place other than the place reported.

The main accused-contractor has been granted concession of pre-arrest bail by this Court. The incident is of the year 2012. Petitioners being employees of the Corporation are not likely to abscond.

In view of the fact that the petitioners have joined investigation, both the petitions are allowed. It is ordered that in case of arrest of petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the following conditions:

- (1) Petitioners will join investigation as and when required;
- (2) Petitioners will not tamper with the evidence or obstruct the investigation and would make available all the official records for the purpose of investigation; and
- (3) Petitioners will not commit similar offence of which they are accused of during pendency of the trial.

(M.M.S. BEDI)
JUDGE

November 18, 2015
harsha