

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

1. CRM-M-15113 of 2016
Date of decision : 29.08.2016

Nirmail Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-16588 of 2016
Date of decision : 29.08.2016

Harmohan Singh

...Petitioner

Versus

State of Punjab

...Respondent

3. CRM-M-17405 of 2016
Date of decision : 29.08.2016

Gurmail Singh

...Petitioner

Versus

State of Punjab

...Respondent

4. CRM-M-17683 of 2016
Date of decision : 29.08.2016

Satya Devi

...Petitioner

Versus

State of Punjab

...Respondent

5.

CRM-M-15750 of 2016
Date of decision : 29.08.2016

Geeta Chawla (Arora)

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Pardeep Rajput, Advocate for the petitioner.
(In CRM-M Nos.15113, 16588, 17405 & 17683 of 2016)

Mr. S.P. Arora, Advocate for the petitioner.
(In CRM-M-15750 of 2016)

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

This order will dispose of the above mentioned five applications for pre-arrest bail arising out of one FIR.

The FIR was registered at the instance of Manwinder Singh, DSP, Vigilance Bureau, Amritsar alleging that the land measuring 2 kanals 11 marlas belonging to Gram Panchayat, Klair Chowagana was approved to be sold through open auction at the reserve price of Rs.15,00,000/- per acre vide order dated 20.01.2011 allegedly passed by the Rural Development and Panchayat Department, Mohali. The Minister concerned on 31.03.2011 passed an order that no further action be held but the petitioners in connivance with each other being Clerks, Superintendent, etc. forged a letter

purported to be signed by Deputy Director. Allegation against the petitioners is that they were responsible for the auction of the land for a sum of Rs.40,00,000/- per acre.

On the asking of the Court, State counsel instructed by Investigating Officer Inspector Kuldeep Singh states that no financial loss has actually been caused to the Panchayat and no wrongful gain is apparent to any of the petitioners.

In view of the said circumstances, it would certainly be a debatable issue whether offence of preparing wrong documents could be said to have been committed by the petitioners in connivance with each other. All the petitioners have joined the investigation. The offence was allegedly committed in the year 2011 whereas FIR has been registered in 2016.

Accordingly, all the abovesaid five 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 conditions that they will join the investigation as and when required and will not commit the similar offence during the pendency of the trial and will not tamper with the evidence or interfere in the investigation in any manner.

Nothing said in this order will effect any disciplinary proceedings or recovery proceedings, if any.

29.08.2016

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**(M.M.S. BEDI)
JUDGE**

Whether speaking/reasoned:-

Yes

Whether reportable:-

No