

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 43327 of 2015 (O&M)
Date of decision:- 23.2.2016

Kulwant Singh

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. PS Ahluwalia, Advocate.
Ms. HK Athwal, DAG, Punjab
Mr. Nakul Sharma, Advocate.

M.M.S.BEDI,J.

Misc. application is allowed. Documents Annexures R 1 to R 3 are permitted to be taken on record.

Gram Panchayats Kala Bulla, Kheri Kalan, Badshahpur and Tibba are appearing before this court through counsel by moving an application for impleading them as party. It has been contended on behalf of the complainants that substandard material, without following the procedure or rules had been purchased , causing a huge loss to the development work of the Gram Panchayats.

With the assistance of ASI Rajinder Singh, I have gone through the record. Statement of Sarpanch Ram Sarup has been recorded. The persons seeking intervention of this court, seem to have not approached the investigating agency to get their statements recorded as per the provisions of Section 163(2) Cr.P.C. I have also gone through the copy of the petition filed u/s 482 Cr.P.C. by the petitioner and others seeking an appropriate direction to the Police/ CBI to look into the scam against Superintending Engineer, who at present happens to be one of the

superiors of the petitioner.

After going through the nature of the allegations against the petitioner and taking into consideration the fact that proprietor of the firm, who had provided substandard material, has been granted the concession of pre-arrest bail; the petitioner having joined the investigation; chances of petitioner evading investigation being a Govt. employee are remote, he can be granted the concession of pre-arrest bail.

Accordingly, the petition is allowed and interim order dated 21.12.2015 is hereby confirmed and 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 condition that he will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. The petitioner will provide all the relevant documents for the fair investigation of the case. He will not leave India without the permission of the court.

Nothing said in this order will effect the further investigation.

February 23 ,2016
TSM

(M.M.S.BEDI)
JUDGE