

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6922 of 2016 (O&M)

Date of Decision: 08.04.2016

Rohit

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. K.V.S. Ahluwalia, Advocate for the petitioner.

Mr. Anmol Malik, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

CRM No.11752 of 2016

Application is allowed as prayed for.

The necessary amendment in the head note is allowed.

Main Case

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.276 dated 3.10.2015 under sections 420, 406, 467, 468, 471, 218, 501, 120-B I.P.C registered at Police Station, Kalan Wali, District Sirsa.

Learned counsel for the parties have been heard.

Accusations in brief at the hands of the complainant Jagga Singh are that in January, 2014 he had applied for tubewell connection under the self scheme with Kalanwali Sub Division, D.H.B.V.N Ltd, District Sirsa. Complainant stated that he along with one Harmit Singh and Roop Singh had deposited a sum of Rs.1,25,000/- each with the co-accused Pankaj Ganda and Janta Singh, S.D.O and J.E respectively and who assured that connections would be released and receipts would also be issued in due

course. In so far as the present petitioner is concerned, he is not an official of the Nigam rather he is a private contractor. Allegations against the present petitioner are that he had raised a demand and was paid a total sum of Rs.90,000/- by the complainant for erection of nine polls to energize the electricity connection.

During the course of arguments, it has gone uncontroverted that the electricity connection was energized but the complainant subsequently had come to know that the money that had been paid for release of electricity connections, had not been deposited in the accounts of the department/Nigam.

Present petitioner was arrested on 2.1.2016.

Allegations primarily are against the officials of the Nigam. In so far as the present petitioner is concerned, he was a private contractor and who had allegedly taken Rs.90,000/- for erection of nine polls and such job has been undertaken.

The allegations of connivance of the present petitioner with the officials of the Nigam would be a matter to be considered during the course of trial.

Investigation in the case is complete and even challan has been presented.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Sirsa.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

08.04.2016

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