

116 (2 Cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32335-2017 (O&M)

Date of Decision: 01.09.2017

SUBE SINGH

... Petitioner

VS.

STATE OF HARYANA

..Respondent

CRM-M-32445-2017 (O&M)

SOHAN SINGH

... Petitioner

VS.

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Anmol Rattan Sidhu, Sr. Advocate,
with Mr. Pratham Sethi, Advocate,
for the petitioner IN CRM-M-32335-2017.

Mr. R.N. Lohan, Advocate,
for the petitioner IN CRM-M-32445-2017.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest?*

KULDIP SINGH, J. (Oral)

This order of mine shall dispose of both the above mentioned connected criminal petition bearing Nos. CRM-M-32335-2017 and CRM-M-32445-2017.

The petitioners were working as Sub Divisional Engineer and Executive Engineers respectively in Panchayati Raj, Jind. It comes out that in compliance of the orders of this Court passed in CWP No. 12152 of 2014 titled as “Suraj Mal Vs. State of Haryana and others” an enquiry was carried out and it was found that ₹90.00 Lakhs have been spent for renovation of pond and present petitioners were amongst the officials, who are stated to have embezzled ₹26,83,831/-.

CRM-M-32335-2017 (O&M) and
CRM-M-32445-2017 (O&M)

Learned counsel for the petitioner has referred to the order dated 23.08.2017 passed in CRM-M-30843-2017 titled as “Zile Singh Vs. State of Haryana” wherein the co-accused Zile Singh has been granted ad-interim anticipatory bail by the co-ordinate Bench of this Court. It is further contended that the petitioner was competent to sanction the work only upto certain limit. It is further contended that the veracity of the sample of the construction material is doubtful. The work was completed in June, 2015 and the sample was collected on 2nd of March 2016 and it was sent on 18th of March 2016.

I am of the view that all these allegations are to be examined during the investigation. Prima facie, it is made out that during the investigation, the petitioners were amongst the officials, who were party to embezzlement of ₹26,83,831/-. In these circumstances, the custodial interrogation of the petitioners is necessary as role of the petitioners are also required to be investigated. As such, there is no ground to grant anticipatory bail to the present petitioners. Consequently, present petitions are hereby dismissed.

Photocopy of this order be placed on the file of connected matter.

September 1, 2017

Suresh Kumar

[KULDIP SINGH]
JUDGE

Whether speaking / reasoned : ✓

Yes / No

Whether Reportable : ✓

Yes / No