

Sr. No.206

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-45635 of 2016 (O&M)

Date of Decision:23.02.2017

Gayan Chand

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. S.K.Garg Narwana, Senior Advocate with
Mr. Deepak Hooda, Advocate,
for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks concession of anticipatory bail in case FIR No.215 dated 21.07.2016, under Sections 120-B, 218, 409, 419, 420, 467, 468, 471 IPC and Section 13(1) d of Prevention of Corruption Act, 1988, registered at Police Station City Mandi Dabwali, District Sirsa.

Allegations against the present petitioner are that while holding the post of Field Officer, District Industrial Centre, Sirsa, he was a member of purchase committee for purchase of material of Municipal Committee, Dabwali and in which irregularities and embezzlement were allegedly committed.

While issuing notice of motion, the following order was passed by this Court on 21.12.2016:-

“Petitioner is alleged to be a member of purchase committee which committed irregularities.

Counsel for the petitioner submits that similarly circumstanced co-accused had filed a petition for pre-arrest

bail before this Court which had been allowed. Claiming parity, the petitioner seeks concession of pre-arrest bail.

Notice to the Advocate General, Haryana, for 23.2.2017.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 7.1.2017, 21.1.2017 and 4.2.2017. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.

The investigating officer shall make available the material gathered against the petitioner during the course of investigation.”

Learned State counsel who is on instructions from HPS Satyapal apprises the Court that the petitioner has since joined investigation.

It has gone uncontroverted that co-accused Subhash Sheoran as also Manoj Sharma who were also the members of the purchase committee and against whom there were similar allegations have been granted concession of pre-arrest bail by this Court in the light of orders dated 15.12.2016 passed in CRM No.M-39522 of 2016 and CRM No.M-42166 of 2016.

On the ground of parity itself, prayer made in the present petition is accepted. Order dated 21.12.2016, passed by this Court, is made absolute.

Disposed of.

23.02.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No