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

**Date of decision: December 11, 2017  
CRM-M-45344 of 2017**

Ashok Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

**CRM-M-41536 of 2017**

Dharmender

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI**

**Present:** Dr. Anmol Rattan Sidhu, Senior Advocate with  
Mr. Rajesh Kumar Moudgil, Advocate  
for the petitioner (in CRM-M-45344 of 2017).

Mr. Y.S. Rathore, Advocate  
for the petitioner (in CRM-M-41536 of 2017).

Ms. Tanushree Gupta, DAG Haryana.

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**A.B. CHAUDHARI, J (Oral)**

By this common order, above said both the petitions would  
be disposed of.

Petitioners seek grant of regular bail in FIR No.11 dated  
14.01.2014, under Sections 420, 409, 120-B, 34 and 201 of Indian  
Penal Code, 1860 and Sections 13(1)(d) of Prevention of Corruption  
Act, 1988 (added lateron), registered at Police Station Murthal, District  
Sonapat.

Heard learned counsel for the rival parties.

Petitioner-Ashok Kumar is a patwari and petitioner-Dharmender is a panchayat Secretary. Both are public servants. The allegations against them are that they are responsible in making fake allotments in the year 2011. It is not in dispute that the challan has been filed. In my opinion, the investigation having been completed, there is no point in continuing the petitioners as under trial in jail since the trial will take its own time.

However, I find that in the wake of the prosecution allegations, State of Haryana ought to proceed against these public servants-petitioners in domestic inquiry for the misconduct committed by them.

In that view of the matter, both these petitions, i.e. CRM-M-45344 of 2017 and CRM-M-41536 of 2017 are allowed. Petitioners shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioners shall file undertaking with the trial Court that they will not commit similar or any other kind of offence in future. Petitioners shall deposit their passports, if possess, with the trial Court. Petitioners shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

**(A.B. CHAUDHARI)**  
**JUDGE**

**December 11, 2017**

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No