

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

**CRM No.M-7211 of 2017 (O&M)
Date of Decision: 24.03.2017**

Anil Jain

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. S.K. Garg Narwana, Sr. Advocate with
Mr. Virat Amarnath, Advocate for the petitioner.

Mr. C.S. Bakshi, Additional Advocate General, Haryana.

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner 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 the Prevention of Corruption Act, registered at Police Station City Mandi Dabwali, District Sirsa.

While issuing notice of motion, the following order was passed by this Court on 03.03.2017:

“The instant petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner 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 the Prevention of Corruption Act, registered at Police Station City Mandi Dabwali, District Sirsa.

Allegations in a nutshell are in relation to irregularities and embezzlement of funds during the process of purchase of various kinds of material for Municipal Committee, Dabwali.

Insofar as the present petitioner is concerned, he is stated to be the owner of Laxmi Engineering Firm and from whom 50 dustbins had been purchased at an allegedly marked up price.

Learned senior counsel would inter alia contend that the co-accused and members of the Purchase Committee including Gian Chand, Manoj Sharma and Subhash Sheoran had been granted ad interim protection as regards arrest by this Court. Further submitted that co-accused Mukesh Saini and against whom there was similar allegations of having supplied vehicles at exorbitant rates has already been granted concession of anticipatory bail.

Notice of motion, returnable for 24.03.2017.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instruction from DSP Rattanpal has apprised the Court that the petitioner has since joined investigation. The observations made by this Court in the notice of motion order have gone un rebutted.

Rather,, it has been conceded that co-accused and members of the Purchase Committee including Gian Chand, Manoj Sharma and Subhash Sheoran have been granted concession of anticipatory bail by this Court.

Accordingly, prayer made in the instant petition is accepted. Order dated 03.03.2017 passed by this Court is made absolute.

Disposed of.

24.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |