

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-10002-2018

Date of Decision: 13.08.2018

Darshan Kumar

.. Petitioner

Vs.

State of U.T. Chandigarh.

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Krishan Singh Dadwal, Advocate for the petitioner.

Mr. Rajiv Sharma, A.P.P., U.T., Chandigarh.

...

Inderjit Singh, J.

Petitioner Darshan Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.2 dated 12.02.2018, registered at Police Station Vigilance, Sector-9, Chandigarh, under Sections 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988.

Notice of motion was issued in this case.

Learned counsel for U.T. Chandigarh has appeared on behalf of respondent-U.T. Chandigarh and contested this petition.

I have heard learned counsel for the petitioner as well as learned counsel for U.T. Chandigarh and have gone through the record.

From the record, I find that the repair work of Dr. B.R. Ambedkar Stadium had been got done by the Department and the present petitioner was stated to be the Junior Engineer. As per the FIR, sub-standard material had been used. The main allegation against the present petitioner is regarding laying sub-standard paver bricks blocks total amounting to ₹76 lacs.

Learned counsel for the petitioner submitted that these had been supplied by the company on the basis of tender.

In pursuance of the interim order dated 13.03.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 13.03.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

13.08.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No