

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

CRM No.M-11773 of 2017 (O&M)
Date of Decision: September 24, 2018

Raj Kumar

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.R.K.Saini, Advocate for
Mr.S.K.Verma, Advocate
for the petitioner.

Mr.B.S.Virk, DAG, Haryana
for the respondent-State.

Mr.Satish Singla, Advocate for
Mr.Vishal Garg, Advocate
for Municipal Committee, Uchana.

INDERJIT SINGH, J.

CRM No.7917 of 2018

This application is allowed, subject to all just exceptions.

Reply to the petition along with annexures is taken on record.

CRM No.M-11773 of 2017

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0048 dated 09.03.2017 under Sections 409, 420, 467, 468, 471 IPC and Section 13 of the Prevention of Corruption Act, registered at Police Station Uchana, District Jind.

Notice of motion was issued. Learned State counsel as well as

learned counsel for Municipal Committee, Uchana appeared and contested

the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per allegations in the FIR, payment of ₹2.5 crores has been made to the contractors etc., who have not completed the work. In some cases, less work has been done by the contractors and in some cases, work has not been done. Present petitioner, though, was a Class-IV employee but he has been given regular work and on most of the cheques issued, along with President and Secretary, present petitioner has also signed.

It has been brought to the notice of this Court by learned State counsel that ₹10 lakhs has also been deposited in the account of petitioner, which is not explained. Further, learned State counsel has contended that bills have been verified by the petitioner. Enquiry has been got conducted in the present case and it was found that present petitioner is the main accused.

Keeping in view the facts and circumstances of the present case and in view of the serious allegations against the present petitioner, I find that petitioner is required for custodial interrogation and no ground is made out for grant of anticipatory bail to him.

Therefore, finding no merit in the present petition, the same is dismissed.

However, nothing stated above, shall constitute my opinion on merits of the case.

September 24, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No