

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

(i) CRM No.M-15336 of 2018 (O&M)

Jasbir Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

(ii) CRM No.M-16919 of 2018 (O&M)

Ripdaman Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

(iii) CRM No.M-20513 of 2018 (O&M)

Randhir Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

Date of Decision: July 10, 2018

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.P.S.Sekhon, Advocate
for the petitioner (in CRM No.M-15336 of 2018).

Mr.P.S.Ahluwalia, Advocate
for the petitioner (in CRM No.M-16919 of 2018).

Mr.Aminder Singh, Advocate
for the petitioner (in CRM No.M-20513 of 2018).

Mr.Pawan Sharda, Sr. Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

All the above-mentioned cases are taken up together as the same have arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.07 dated 16.03.2018 under Sections 13(1) (d) (2) of Prevention of Corruption Act and Sections 409, 420, 120-B IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, registered at Police Station Vigilance Bureau, Patiala, District Patiala.

Notice of motion was issued. Learned State counsel appeared and contested the petitions.

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

The perusal of the record shows that a complaint was made by Randhir Singh, owner of the land to the Deputy Commissioner that Municipal Committee is not giving rent of the land. As per prosecution version, 5 acres of land has been taken from private persons including Randhir Singh for dumping garbage. As per the allegations in the FIR, total area of 5 acres of land is not being used for dumping the garbage and land owner has sown crop and also gave some land for mining purposes, whereas the land was on lease with Municipal Committee. The perusal of the office order dated 21.06.2017 passed by Deputy Commissioner, Sangrur, shows

that rather, the President, Municipal Council has stopped the payment but it

was given as per order of Deputy Commissioner. Then, learned SDM, Sangrur made enquiry, on the basis of which, present FIR has been registered. Petitioner Ripdaman Singh is President, Municipal Council, Sangrur, petitioner Jasbir Singh is Sanitary Inspector and petitioner Randhir Singh is land owner.

The petitioners have already joined the investigation. They are not required for custodial interrogation nor anything is to be recovered from them. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioners are entitled to benefit of grant of anticipatory bail. Therefore, all the petitions are accepted and the orders dated 02.05.2018 passed in CRM No.M-15336 of 2018 and CRM No.M-16919 of 2018 and order dated 15.05.2018 passed in CRM No.M-20513 of 2018 granting interim bail to the petitioners, are made absolute.

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

July 10, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No