

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21941 of 2018
Date of Decision: 28.05.2018

Jatinder Singh Dhillon

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Ajaivir Singh, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.02 dated 20.02.2018 registered for offences punishable under Sections of 13 (1) (D) read with Section 13 (2) of Prevention of Corruption Act, 1988 and 409/420/465/467/471/120-B of Indian Penal Code (for short, "IPC") at Police Station Vigilance Bureau, F.S.-1, Punjab at Mohali.

Heard.

As per case of prosecution, land of *gram panchayat* of village Jheorheri was acquired for expansion of Airport, Chandigarh and compensation of ₹54,16,87,500/- for acquired land was released in favour of *Gram Panchayat*, which decided to purchase the land for agricultural/commercial purposes with this amount of compensation after taking necessary government approval.

Allegation against the petitioner is that 6700 sq. yards of commercial land was purchased by him for *Gram Panchayat* vide sale deed

no. 30 dated 03.04.2017 without approval or sanction of Government. Even the price of land was accelerated and embezzlement of ₹1.5 crores was made therein. Cheque of price of land was issued on 03.4.2017 and sanction was given by DDPO, G.S. Sarao on 4.4.2017, who was not even competent to give the sanction.

Learned State counsel on instructions from Inspector Satwant Singh submits that another sum of ₹4 crores was withdrawn by petitioner out of compensation amount by issuing cheque in favour of Darshan Singh, brother-in-law of *sarpanch* and cheque of ₹82 lakhs was issued by the petitioner for purchase of benches, which were nowhere found in the record.

The petitioner was arrested on 20.02.2018. After investigation, challan has been presented in Court. The entire case is based on documentary evidence. Co-accused G.S. Sarao, who allegedly gave sanction has already been allowed regular bail vide order dated 09.04.2018.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Jatinder Singh Dhillon is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his

presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

May 28, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No