

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

CRM No.M-27704 of 2018 (O&M)
Date of Decision: July 06, 2018

Vishal Sharma

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vinod Ghai, Senior Advocate with
Mr.J.S.Mehndiratta, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.11 dated 28.05.2018 under Sections 120, 409, 465, 467, 468, 471 IPC and Section 13(1) (d) read with Section 13(2) of Prevention of Corruption Act, registered at Police Station Vigilance Bureau, Range, Amritsar.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that FIR in the present case has been registered against Jatinder Singh, Executive Officer, City Improvement Trust, Pathankot and others. During enquiry, it was found that City Improvement Trust, from 01.04.2015 to 31.03.2016, for publishing advertisement from different Agencies of Print & Media, has incurred a total amount of ₹4,96,42,425/-. It was also found that co-accused Jatinder Sharma, Owner of Sri Sai Advertiser Agency, Arvind Sharma, Executive

Officer, Vipin Kumar, Assistant Turst Engineer and Vishal Sharma

Superintendent/Accountant, City Improvement Trust, in connivance with each other, have embezzled amount of ₹15,87,572/- towards newspaper advertisements and ₹1,31,70,760/- towards electronic media advertisement and in total ₹1,47,58,332/- by giving work on higher rates. The detailed figures have been given in the FIR.

The present petitioner is named in the FIR and the allegations are also levelled against him that he connived with other co-accused by giving newspaper advertisements on higher rates and made the payments on the basis of bills etc. without doing any work/verification.

The argument of learned counsel for the petitioner that petitioner is simply a Clerk and has no role in the matter, has no merit in view of the allegations in the FIR itself, as in the FIR, it is stated that Vishal Sharma is working as Superintendent/Accountant, which means that he was also doing the work of Superintendent/Accountant.

Keeping in view the facts and circumstances of the present case and in view of the serious allegations against the present petitioner and also in view of the fact that huge amount has been embezzled, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail. The petitioner is required for custodial interrogation.

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.

July 06, 2018
Vgulati

(INDERJIT SINGH)
JUDGE