

CRM-M-31072-2018

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

CRM-M-31072-2018

Date of Decision: 23.08.2018

Tejinder Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vivek Salathia, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.65 dated 16.04.2017, registered at Police Station Gharinda, Amritsar City, under Sections 409, 420, 467, 468, 471 and 120-B IPC and Sections 7 and 13(2) (c) of the Prevention of Corruption Act, 1988 added later on.

Notice of motion was issued. Learned State counsel has appeared and contested the instant petition.

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

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From the record, I find that as per the allegations in the FIR, the present petitioner, who was posted as B.D.P.O, had disbursed the amount of more than ₹50 lakhs to three Gram Panchayats for construction of toilets, but the same were not constructed, rather the money was withdrawn. The allegation against the present petitioner is regarding connivance and failure of monitoring the construction work.

It has been brought into notice of this Court that total amount withdrawn by the Gram Panchayats has already been deposited before registration of the FIR.

The challan has already been presented. The petitioner has been in custody since 08.03.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take a long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

23.08.2018

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

**(INDERJIT SINGH)
JUDGE**

Yes

No