

CRM-M-32502 of 2018

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

CRM-M-32502 of 2018
Date of Decision: 07.09.2018

Darshan Singh

....Petitioner

Versus

The State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: -Mr. Karanvir Singh Khehar, Advocate, for the petitioner.
Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Reply by way of affidavit of Ravinder Singh, PPS, Deputy Superintendent of Police, Vigilance Bureau, Unit SAS Nagar (Mohali), filed in Court today is taken on record.

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Darshan Singh in a case arising from FIR No.02 dated 20.02.2018 registered under Sections 409, 420, 465, 467, 471 and 120-B IPC and Section 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act, 1988 at Police Station Vigilance Bureau, Phase I, Mohali (SAS Nagar).

According to prosecution, around ₹15.00 crores were transferred by the BDPO to the account of Gram Panchayat of Village Jheorheri for purchase of land in lieu of acquisition of its land. Consequently, co-accused Gurpal Singh Sarpanch purchased land for Panchayat from one Darshan Singh son of Bachan Singh and Swaran Singh son of Ramji Dass for consideration of ₹10,11,17,000/- @ 15,100/- per sq. yards vide registered sale deed dated 30.04.2017. Immediately after selling the land, both the aforesaid sellers transferred around ₹4.00 crores in the bank account of petitioner being relative of the Sarpanch. With said ₹4.00 crores, petitioner started purchasing land and when came to know about

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aforesaid FIR, procured ante dated stamp papers so as to falsely show that he had entered into agreement for purchase of land much prior to the transfer of money to his account by the aforesaid sellers.

Learned counsel *inter alia* contends that aforesaid seller Darshan Singh has been granted anticipatory bail vide order dated 21.06.2018 passed by a Co-ordinate Bench of this Court in CRM-M-25682 of 2018 and Swaran Singh has been enlarged on bail by the trial Court. Petitioner is not a party to the entire episode/alleged fraudulent transaction. Petitioner has received money from the aforesaid sellers as a sale consideration for selling his land.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

September 07, 2018

R.S.

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No