

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

**CRM No.M-46322 of 2017 (O&M)
Date of Decision: December 05, 2018**

Surinder Pal Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.R.S.Cheema, Senior Advocate with
Mr.R.K.Trikha, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.06 dated 08.06.2017 under Sections 420, 465, 467, 468, 471, 506, 120-B IPC and Sections 13(1) (d) and 13(2) of the Prevention of Corruption Act, registered at Police Station Vigilance Bureau, Phase-I, SAS Nagar, Mohali.

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

As per allegations of the prosecution, present petitioner, who was Chief Engineer, has awarded tenders of about ₹500 crores to his *benami* concern i.e. M/s Ek Onkar Builders and Contractors Pvt. Ltd. As per the allegations, he has also favoured and gave tenders to two other firms

i.e. M/s Rajindera & Company and M/s Oases Technology Pvt. Ltd.

As per learned State counsel, work of ₹1200 crores has been allotted by the present petitioner and maximum work has been given on higher rates. There is also allegations that after manipulating the documents, tendering process was done in such a way to exclude other competitors. One SECL Company, who was allottee, was persuaded to give sub-contract to his own firm. In another case, before allotment of work to SECL, pre-bid contract was given to M/s Rajindera & Company. There are also allegations against the present petitioner that he has given performance certificate to these companies to enhance their eligibility for higher works. Learned State counsel further contended that there are serious allegations against the present petitioner regarding money laundering and money routed through three family concerns of the present petitioner. He also argued that petitioner remained Chief Engineer and evidence is to be produced by Junior Engineers and if the bail is granted, he can influence the witnesses and can tamper with the evidence.

On the other hand, learned counsel for the petitioner argued that challan has already been presented. The petitioner is not required for custodial interrogation as he is in judicial custody since 09.06.2017. There is no reason or ground to punish the petitioner before conclusion of the trial by keeping him in custody.

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

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the serious allegations

against the petitioner and the fact that if the petitioner is released on bail,

there is every chance that he may influence the witnesses and tamper with the evidence, I do not find any ground to grant benefit of regular bail to the petitioner at this stage.

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.

December 05, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No