

CRM-M-49514-2018

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

CRM-M-49514-2018

Date of Decision:10.12.2018

Arvind Sharma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ashish Verma, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.11 dated 28.05.2018, registered at Police Station Vigilance Bureau, Range Amritsar, under Sections 120-B, 409, 465, 467, 468 and 471 of the Indian Penal Code and Sections 13 (1) (d) read with Section 13 (2) of the Prevention of Corruption Act, 1988.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

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

As per the allegations in the FIR, Improvement Trust, Pathankot has spent a huge money on advertisement at a very high rate as

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compared to market rates in connivance with local city cable and there were only five to six auctions which were conducted from 01.04.2015 to 20.01.2016, whereas rate of advertisement in city cable was very less. There is also allegation that advertisement was given in local newspapers of Himachal Pradesh and Jammu and Kashmir and a total amount of ₹3.25 crores has been spent on the advertisement. The present petitioner remained posted at Pathankot being additional charge for about one and half months. Though he had signed some bills, yet learned counsel for the petitioner stated that he (petitioner) had passed the bills after taking due care and for such a short time, he could not come to know regarding connivance of officials of the Improvement Trust with the private owners of Print Media or Electronic Media etc.

Keeping in view the facts and circumstances of the present case and in view of the facts that the petitioner has remained posted for a very short period in the office and that he has already joined the investigation and is not required for custodial interrogation, I find that no useful purpose will be served by sending him to custody. Therefore, finding merit in the present petition, the same is allowed. The order dated 20.11.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

10.12.2018

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes
: No