

CRM-M-48935-2017

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

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Date of Decision: 16.08.2018

Mohinder Singh Sangwan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Keshav Pratap Singh, Advocate,
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

INDERJIT SINGH, J.

Status report of the investigation has been filed by learned State counsel in the Court today. Same is taken on record.

Petitioner-Mohinder Singh Sangwan has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.04 dated 31.07.2017, registered at Police Station State Vigilance Bureau, Sector 17, Panchkula, under Sections 218, 406, 409, 420 and 120-B of the Indian Penal Code and Sections 13(1) (C), 13(1) (D) and 13(2) of the Prevention of Corruption Act, 1988.

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

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

From the record, I find that as per the allegations against the present petitioner, who was posted as Land Acquisition Officer, he distributed excess amount of ₹56 crores for the land acquired. Perusal of record also shows that though the appeal was recommended, yet the present petitioner did not file the same. Perusal of record further shows that letter dated 31.03.2014 sent to the present petitioner giving opinion regarding filing of RFA in this Court, was purposely not got entered in the Diary/despath register, nor put up on office file and no appeal was filed by the present petitioner against the judgment dated 24.01.2014, which clearly shows his *mala fide* and complicity in the matter. Other allegations were also found against him during the investigation that instead of 267 bighas and 6 biswas of *shamilat deh* land (2.5 shares of the acquired *shamilat deh*) compensation in excess for 442 bighas and 2 biswas of land was made to the individual villagers by purposely misinterpreting the judgment dated 24.01.2014 and purposely not keeping in view the payment regarding 4.5 shares already made in the matter and in the guise of execution proceedings pending in the Court of learned Additional District Judge, Panchkula. There is also allegation regarding connivance of the present petitioner for producing incorrect calculation sheet to Haryana Shehri Vikas Pradhikaran (HSVP).

Keeping in view the nature and gravity of the offence and in view of the fact that the petitioner is required for custodial interrogation, I do not find it a fit case where the petitioner is entitled to the benefit of

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anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

16.08.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No

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