

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53669 of 2018
DECIDED ON: 05.12.2018

RAJBIR SINGH

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. N.S. Dhillon, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.0032 dated 02.02.2018, registered under Section 409 IPC, Police Station Sector 5, Panchkula.

According to the prosecution, a big fraud of embezzlement of Rs.16 crores 38 lakhs had unearthed in the office of Land Acquisition Collector Urban Estate, Panchkula. The petitioner was custodian of the relevant file and produced the same before the police. Subsequently, during the course of investigation in case FIR No.4, dated 31.07.2017, under Sections 218, 406, 409, 420, 120-B and Section 13(1) (C) of the Prevention of Corruption Act, State Vigilance Bureau, Panchkula directed the petitioner and concerned patwari being dealing hands to produce relevant record. The allegations against the petitioner are that he intentionally got misplaced the relevant file.

Learned counsel for the petitioner contends that the alleged fraud was unearthed by the petitioner himself. After handing over the relevant file by him to the police, the petitioner had further handed over the same to Ms.Mamta, Patwari in the presence of Mr. Ramgopal, Patwari . Therefore, the petitioner is not responsible for any loss of file. The petitioner is ready to join the investigation.

Having considered the seriousness of offence occurred in the office of Land Acquisition Collector, Panchkula of usurping several crores rupees, this Court is not inclined to grant anticipatory bail to the petitioner, inasmuch as, he is the main responsible person for disbursement of compensation. Without his consent and signatures on Form No.16, no fraudulent disbursement can be made.

Dismissed.

05.12. 2018

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**(RAMENDRA JAIN)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**