

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

216-A

CRM-M-2429-2019 (O&M)
Date of Decision : 7.2.2019

Maninder Singh

....Petitioner

vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Arun Takhi, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.10 dated 17.8.2017 registered under Sections 406, 409, 467, 468, 471, 477A, 120-B IPC, 1860 and Section 13 (1) (D) read with Section 13 (2) of Prevention of Corruption Act, 1988 at police station Vigilance Bureau, FS-I, Mohali (Punjab).

The allegations were that over a period of 10 years one Gurinder Singh had emerged as a favorite contractor (for obvious reasons) and ultimately work was allotted to him at the higher rates and so forth. Further, tender documents were made to ensure that he was eligible. Then payments were released to him without ensuring that work allotted to him was completed or not. As a result thereof, losses to the tune of hundreds crores were caused.

Counsel for the petitioner has argued that co-accused namely

Dalbir Singh has already been granted the concession of bail and the petitioner is rather on better footing Dalbir Singh. He has further argued that the petitioner was a non-technical employee and his duty was only to see if there was any arithmetical mistaken in the calculation of bill. He has further stated that the petitioner has been in custody since 4.1.2019. He has argued that many of the officials were not at all arrested by the Vigilance Department and challans were presented without arresting them, some officials were released on anticipatory bail, other officials were released on regular bail. As per him, the main reason why bail should be granted is because different treatment meted out by the prosecution itself to present challans in some cases without arresting officials and resorted to arrest in other cases.

On instructions from Investigating Officer-Ashish Kapoor, learned Addl. A.G is not in a position to deny these factual assertions.

In the circumstances, without commenting on the merits of the case, keeping in view the above facts, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly, Bail to the satisfaction of the concerned Trial Court/Duty Magistrate.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

7.2.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No