

CRM-M-11993-2019

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

CRM-M-11993-2019

Date of Decision: 08.04.2019

Dharambir Singh Dahiya

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Anmol Rattan Sidhu, Sr. Advocate with
Ms. Avalpreet Kaur, Advocate,
for the petitioner.

Mr. Sharad Kumar Yadav, Deputy Advocate General, Haryana.

Mr. Vijay Kumar Sheoran, Advocate,
for the complainant.

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.19 dated 15.01.2018, registered at Police Station Badhra, District Charkhi Dadri, under Sections 120-B, 409, 420, 467 and 468 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel appeared on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned

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From the record, I find that the present FIR has been got registered by filing a complaint under Section 156 (3) Cr.P.C. before learned Judicial Magistrate Ist Class, Charkhi Dadri. As per the prosecution version, the present petitioner is posted as Executive Engineer, Panchayati Raj, Bhiwani. As per the allegations, the muster-roll has been forged and payment of Rs.3240/- is made, whereas no name of labourer has been mentioned. It is also stated that construction work of street etc. have not been done properly and corruption of public money has been done.

The petitioner is a public servant and has done the work while discharging his official duty. The complaint has been made by a private person.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that the petitioner is not required for custodial interrogation and no useful purpose will be served by sending him to custody. Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

08.04.2019

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

**(INDERJIT SINGH)
JUDGE**

: Yes
: No