

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

210

CRM-M-45756-2018
Date of Decision : 15.01.2019

Kulwant Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr.Vikas Cuccria, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, 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.3 dated 01.03.2018, registered under Sections 406, 409, 420, 467, 468, 471 and 120-B IPC read with Section 13(1)d read with 13(2) P.C. Act, 1988 at Vigilance Bureau, Phase I, Mohali.

The primary ground taken by the counsel is that this case was registered against a contractor and various officers of the Irrigation Department including the Chief Engineer, the Superintending Engineer, the Sub Divisional Engineer and the present Director, who is the Junior Engineer. The petitioner's custody as of now is for 4½ months and apart from Chief Engineer and all other officers has been released on regular bail.

The Deputy Advocate General on instructions from SI Dharampal has accepted this fact but has argued that the petitioner wrongly tried to project that the bail was dismissed because he had jumped one date

whereas actually he did not so. Even this point is correct yet the fact remains that the other officers senior to the petitioner have been released on bail.

To my mind, if a senior officer is released on regular bail the junior officer cannot be taken to be more responsible for the scam than the senior officer. I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly. Bail to the satisfaction of the 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.

January 15, 2019
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(AJAY TEWARI)
JUDGE

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