

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

CRM-M-23331-2019 (O&M)

Date of decision : 29.10.2019

Surinder Pal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. H.S. Grewal, Addl. A.G. Punjab alongwith
Inspector Inderpal Singh, Vigilance Bureau, Mohali.

ANIL KSHETARPAL, J. (ORAL)

This is second bail application filed by the petitioner for grant of concession of regular bail in FIR No.06 dated 08.06.2017 registered under Sections 201, 420, 465, 467, 468, 471, 506, 120-B of the Indian Penal Code and Section 13(1)(d), 13(2) of the Prevention of Corruption Act, 1988 at Police Station, Vigilance Bureau, Phase I, SAS Nagar, Mohali.

Facts noticed by a Coordinate Bench, while dismissing first bail application of the petitioner are extracted as under:-

“As per allegations of the prosecution, present petitioner, who was Chief Engineer, has awarded tenders of about ₹500 crores to his benami concern i.e. M/s Ek Onkar Builders and Contractors Pvt. Ltd. As per the allegations, he has also favoured and gave tenders to two other firms i.e. M/s Rajindera & Company and M/s Oases Technology Pvt.

Ltd.

As per learned State counsel, work of ₹1200 crores has been allotted by the present petitioner and maximum work has been given on higher rates. There is also allegations that after manipulating the documents, tendering process was done in such a way to exclude other competitors. One SECL Company, who was allottee, was persuaded to give sub-contract to his own firm. In another case, before allotment of work to SECL, pre-bid contract was given to M/s Rajindera & Company. There are also allegations against the present petitioner that he has given performance certificate to these companies to enhance their eligibility for higher works. Learned State counsel further contended that there are serious allegations against the present petitioner regarding money laundering and money routed through three family concerns of the present petitioner. He also argued that petitioner remained Chief Engineer and evidence is to be produced by Junior Engineers and if the bail is granted, he can influence the witnesses and can tamper with the evidence.”

Learned counsel for the petitioner contends that petitioner is in custody since 09.06.2017 and co-accused of the petitioner have already been granted concession of regular bail.

On the other hand, learned counsel for the State has submitted that the petitioner who was working at the relevant time as Chief Engineer with Greater Mohali Area Development Authority, has created shell companies in the name of his mother and wife apart from his subordinates to siphon off huge amount.

Learned counsel for the petitioner submits that supplementary report has been filed and the conclusion of the case is likely to take time.

Hence, he submits that keeping in view the custody, concession of bail should be granted to the petitioner.

Keeping in view the allegations made, this Court is of the view that in this case, it would be more appropriate to direct the Court of Sessions where trial is pending to conclude the trial positively within a period of one year.

Allegations against the petitioner are serious and co-accused who have been granted bail have no parity with case of the petitioner. Hence, the present petition is disposed of with the aforesaid directions.

29.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No