

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42209-2019

Date of decision : 15.11.2019

Amrik Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. K.S. Dhaliwal, Advocate
for petitioner.

Ms. Harpreet Kaur, AAG Haryana.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 17, dated 7.12.2018, registered under Sections 120 B, 409, 418, 467, 468, 471, 477 A IPC and under Sections 13 (1) (c), 13 (1) (d) (i), 13 (1) (d) (ii), 13 (2) of Prevention of Corruption Act, 1988, at Police Station SVB Karnal.

Broadly the allegations in the FIR are that Dharamvir Singh, Public Health Engineer, Circle Jind, vide letter dated 18.8.2016, intimated that Amrik Singh (petitioner), Sub Division Engineer, PHESD No. 1 Jind, Suresh Kumar, Sub Divisional Clerk, PHESD, Safidon and Subhash, Sub Divisional Clerk, PHESD, Division No. 1 Jind, had defrauded the Government for an amount approximately Rs. 24,84,745/- by fabricating bills, forging signatures in connivance with Angrej Singh and Manjeet, Government Contractor. An inquiry was conducted by the Superintending Engineer, Vigilance. The inquiry substantiated the allegations against the accused.

It is the case of prosecution that during the investigation, it has come out that illegal gratification has been paid to Bhanu Parkash, XEN, SDO Jagdev Mor, Amrik Singh, JE, Subhash Chander and Suresh Kumar. When the matter came in the open, on the oral instructions of XEN Bhanu Parkash, the amount of illegal gratification received by those officials was

deposited by them in the Government account, particulars whereof are as under :-

Amount received as illegal gratification

Bhanu Parkash XEN	Rs. 50000/-
Amrik Singh SDE	Rs. 50000/-
Subhash Chander	Rs. 10000/-
Suresh Kumar Clerk	Rs. 10000/-
Jagdish Nain	Rs. 10000/-

Amount deposited by officials as under

Amrik Singh SDE	Rs. 993899/-
Surseh Kumar SDE	Rs. 745423/-
Subhash Chander	Rs. 745423/-

The learned counsel for petitioner has contended that no voucher has been signed by the petitioners. His signatures are also not on the measurement book and that he had no role in the alleged fraud. He further stated that the petitioner is in custody since 15.7.2019. The investigation in the case is complete and challan has been presented. No loss has resulted to the State as the entire amount has been deposited in the Government account. The entire case is based on documentary evidence.

Without commenting anything on merit of case and also bearing in mind the fact that petitioner is in custody since 15.7.2019, no useful purpose would be served by keeping him behind bars. Hence, petition is allowed. He is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

However, if petitioner indulges in any activity of similar nature, while on bail, prosecution agency will be at liberty to seek cancellation of order granting bail to petitioner.

(HARINDER SINGH SIDHU)
JUDGE

15.11.2019

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No