

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

**CRM-M-5877-2020 (O&M)
Date of Decision: 15.09.2021**

Mahender Singh and another ...Petitioners

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Aman Pal, Advocate,
for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana
assisted by SI Kashmir Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.299 dated 30.05.2019 at Police Station City Sohna, District Gurugram, under Sections 406/409/420/467/468/471/120-B IPC.
2. At the time of issuance of notice of motion on 11.02.2020, the following order was passed:

“Briefly the allegations putforth in case FIR bearing No. 299 dated 30.05.2019, registered under Sections 406, 409, 420, 467, 468, 471, 120-B IPC at Police Station City Sohna, District Gurugram are to the effect that there was misuse of funds of Municipal Committee with regard to hiring of tractor trolley for picking garbage on higher rates, forgery of the quotations and use of inferior quality of material in construction of a temporary helipad. The allegations pertain to the year 2010. The petitioners No. 1 and 2 are stated to be working as Municipal Engineer and Junior Engineer, respectively. It has been stated that entire works have been

carried out after passing of resolution by the Municipal Committee and the petitioners were only required to supervise the work as approved by the Municipal Committee. Furthermore, Roshni Devi, the President of Municipal Committee who has also been arrayed as an accused has been granted pre-arrest bail vide order dated 22.10.2019 passed in CRM-M-27483-2019.

Notice of motion for 21.4.2020.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, both the petitioners have since joined investigation and that their custodial interrogation is not required.
4. Having regard to the nature of allegations and the fact that the petitioners have joined investigation and are not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 11.02.2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

15.09.2021

VY

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No