

222-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Through video-conferencing)

CRM-M No.15563 of 2021

Date of Decision: 07.09.2021

VIJAY KUMAR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Jaideep Verma, Advocate
for the petitioner.

Mr. Bhupender Beniwal, Asstt. A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.50 dated 07.03.2017 registered under Section 409 IPC at Police Station Navi Baradari, Jalandhar Comissionerate, District Jalandhar.

On 08.04.2021, following order was passed by this Court:-

"The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that petitioner is a building contractor under Panchayati Raj. He has successfully constructed number of buildings, reference of which finds mention in para no.2 of the

petition. Some irregularities have been found at the departmental level in the audit report of Panchayati Raj conducted from 23.01.2017 to 30.01.2017. Petitioner has no role to play in the context of allegations as he had already completed his work. Co-accused Pardeep Kumar who dealt in floor tiles has already been granted interim bail by this Court in CRM-M No.10903 of 2021 vide order dated 09.03.2021.

Notice of motion for 19.05.2021.

Interim order in the same terms as passed in CRM-M No.10903 of 2021.

To be heard along with CRM-M No.10903 of 2021.”

Learned counsel for the petitioner submits that petitioner is a building contractor under the Panchayati Raj. Owing to the irregularities committed at departmental level, the FIR in question was registered on the basis of audit report. Vide order of even date passed in CRM-M No.10903 of 2021, co-accused Pardeep Kumar has been granted anticipatory bail. The co-accused deals in floor tiles which were supplied by him to the Department and the same were utilized by the Department. The audit report pointed out some irregularities.

Learned counsel further submits that in compliance of order dated 08.04.2021, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

The aforesaid fact has been admitted by learned State counsel on instructions from SI Rajwinder Kaur. Learned State counsel further submits that the petitioner has joined the investigation and is no more required for further investigation of the case. Challan has already been presented on 30.04.2021.

In view of aforesaid factual position, the interim order dated 08.04.2021 is made absolute. However, the petitioner shall keep on appearing before the trial Court regularly.

Petition stands disposed of.

September 07, 2021	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No