

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

CRM-M-29513 of 2021

Date of Decision: 28.07.2021

Balveer Singh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashit Malik, Advocate for the petitioner.
Ms. Harpreet Kaur, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 487 dated 25.6.2021, under Sections 420 and 120-B IPC (Sections 406, 409 IPC and Sections 7 and 13(1)(d) of the Prevention of Corruption Act, 1988 added later on), registered at Police Station Camp Palwal, District Palwal.

The petitioner was working as Patwari in the office of Land Acquisition Collector. Due to nature of his job, he gained knowledge of the land to be acquired for the projects by Railways. As per the policy for land acquisition of the project, the owners get a government job and compensation for the land acquired. On receipt of the complaint that there are malicious transfers, detailed enquiry was conducted and thereafter FIR was registered. Subsequently, seeing the magnitude and importance of the issue, SIT was constituted. The FIR was initially registered only under Sections 420 and 120-B IPC.

Sona Devi- mother of the petitioner purchased 14 square yards of land on 8.10.2020 vide sale deed No. 5915. After eleven days, i.e. on 19.10.2020, the land was transferred to the brother of the petitioner vide

transfer deed No. 7150.

Learned counsel for the petitioner submits that there is no transfer of land in the name of the petitioner. The land was purchased by the mother of the petitioner before the notification for acquisition of land. The petitioner is neither a transferor nor transferee.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of pre-arrest bail. She submits that it is a big scam which was unearthed. There are at least thirty one beneficiaries, like brother of the petitioner by adopting similar *modus operandi* as in the present case. She further submits that a detailed enquiry was conducted before registering the FIR.

The issue in the present case is more complex than what it appears in first sight. It is a case where the employees due to their jobs in a well planned manner have proceeded to get benefit either for themselves or their relatives. With one transfer, thirty one people were sought to be benefited. The fact that the petitioner was neither transferor nor transferee does not enhance the case for grant of anticipatory bail. It was misutilisation of information gained being posted as Patwari in the office of Land Acquisition Collector that the transfer was planned. The matter needs a deeper probe. The same would not be possible if the petitioner is clothed with protection of pre-arrest bail.

No case is made out for grant of anticipatory bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

28th July, 2021

mk

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No