

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

CRM-M-38158 of 2021

DECIDED ON: 15th December, 2021

Bala Singh

.....PETITIONER

VERSUS

State of Haryana and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

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

Mr. Karan Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This petition under Section 482 Cr.P.C. is filed seeking direction to Superintendent of Police, Hisar for proper investigation in FIR No. 27 dated 18.12.2018, under Section 7 of the Prevention of Corruption Act, 1988 (subsequently Section 8 and 12 of Prevention of Corruption Act, 1988 added later on), registered at Police Station SVB Hisar, District Hisar.

Learned State counsel has filed reply by way of affidavit of Mr. Surender Pal, HPS, Deputy Superintendent of Police, State Vigilance Bureau, Hisar.

Paras 3 and 4 of the preliminary submissions of the reply are relevant and the same are quoted below:

"3. That thereafter, during course of investigation of the above case it was found that Sh. Sohan Sharma, has not at all given any type of application, agreement etc. to the Tehsil office for the purchase of Govt. land. In spite of these facts during course of investigation, it was found that no. govt. land could be sold to any local person. This matter was found to be of taking the money by the Sohan Sharma from Bala Singh and Nakchatar Singh for getting appointed the sons of the both in Haryana Police as Sub-Inspector instead of matter of bribe by the Bhavnesh Kumar Tehsildar, Santlal Jail wardner for

selling the Govt. land on low prices. Therefore, the matter was found to be false regarding providing the govt. land situated at Bagla Road, Hisar on low prices to the complainant Sohan Sharma alias Sonu by Bhavnesh Kumar, Tehsildar, Santlal Jail warder and Bala Singh, as such on the basis of the facts of the case, prima facie case made out under Section 182, 211, 193, 420 IPC and Section 7A PC Act against Sohan Sharma alias Sonu and the case is made out under Section 8, 12 PC Act against Bhavnesh Kumar Tehsildar and the case is made out under Section 8 of PC Act against Santlal, Bala Singh and Nachatar Singh as such the matter in the above said case is being investigated, keeping in view the above said sections of IPC and PC Act and Section 7 was deleted.

4. That the investigating officer served a notice u/s 41(A) Cr.P.C. for appearance before the investigating officer to join the investigation. But the petitioner did not come to join the investigation."

Learned counsel for the petitioner submits that in view of the reply filed, he may be granted liberty to avail remedy in accordance with law for redressal of the surviving grievance.

In view of the above noted fact, no further directions are called for.

The petition is disposed of with liberty as prayed for.

15th December, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned Yes
Whether reportable No