

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

CRM-M-39284 of 2021

DECIDED ON: 25th October, 2021

Darshan Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. M.K. Singla, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 24 dated 20.9.2016, under Sections 409, 420, 467, 468, 471, 120-B IPC and Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Patiala, District Patiala.

As per the allegations, the accused including the petitioner Darshan Singh posted as Field Kanungo, Halqa Chhajli, issued cheques for damage of cotton crop to the persons who had not even sown the cotton crop. As per the allegations Halka Patwari instead of visiting the fields while sitting at the bus stand prepared Girdawri regarding damage to the cotton crops. During investigation, an amount of Rs.1,04,250/- distributed to ten persons were returned by those persons.

Learned counsel for the petitioner submits that the petitioner is in custody since 3.8.2021. Investigation is complete. No recovery is to be made. He relied upon the fact that co-accused Patwari was granted regular bail by the Sessions Court.

Learned State counsel on instructions opposes the prayer for bail, relies upon the pleadings of the reply filed and submits that no recovery is to be made from the petitioner. She is not in a position to distinguish the case of the petitioner *viz-a-viz* co-accused Patwari with regard to grant of bail.

Considering the facts and circumstances of the case in totality especially that conclusion of investigation and trail is likely to take time, no recovery is to be made from the petitioner, co-accused was granted bail by Sessions Judge, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

25th October, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>