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

CRM-M No.42424 of 2020
Date of Decision: 25.01.2021

Jagat Singh

-Petitioner

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Rai, Sr. Advocate, with
Mr. Gautam Dutt, Advocate,
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

Mr. Sunil Sihag, Advocate,
for the complainant.

RAJ MOHAN SINGH, J.

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

Petitioner seeks grant of regular bail under Section
439 Cr.P.C. in case bearing FIR No.7 dated 14.08.2019 under
Sections 120-B, 177, 181, 409, 417, 420, 466, 468, 471 IPC and
under Section 13(1) (c) and 13 (1) (d) of Prevention of
Corruption Act registered at Police Station State Vigilance
Bureau, Gurugram.

Petitioner was Sarpanch of the Gram Panchayat. It
has been alleged that during his tenure as Sarpanch, a

resolution was passed by the Gram Panchayat on 10.03.2017 in respect of opening of a liquor vend and name of one Neeru Yadav, Panch was mentioned, however, her signatures were not there. It has been alleged that the signatures of Panches viz Krishan Kumar, Suman and Neeru Yadav were forged. Second allegation is that the petitioner being Sarpanch invited quotations for purchasing dustbins in the village. Three quotations were received from the contractors. First quotation of Rs.3800/- per dustbin was received from A.K. Construction. Second quotation was received in respect of Rs.3900/- per dustbin from Mittal Traders and third quotation was received from M.M. Iron Construction of Rs.4000/- per dustbin. The quotation of A.K. Construction was found to be less and the petitioner placed the order accordingly for the supply of 100 dustbins.

Further allegation is in respect of dustbins which were not found installed at the relevant places. The allegations are in respect of embezzlement of Rs.3,80,000/- by the petitioner along with co-accused Umesh and Ashok Kumar, Proprietor of A.K. Construction.

It is not in dispute that proprietor of A.K. Construction namely Ashok Kumar has already deposited an amount of Rs.3,80,000/- in the Panchayat fund. Ashok Kumar has been

granted anticipatory bail vide order dated 13.02.2020 passed in CRM-M No.38220 of 2019.

Co-accused namely Mool Chand i.e. Gram Sachiv has already been granted regular bail by this Court vide order dated 16.11.2020 passed in CRM-M No.34713 of 2020.

This Court vide order dated 01.09.2020 passed in CRM-M No.22013 of 2020 and CRM-M No.22212 of 2020, dismissed the prayer of Umesh and Mool Chand for anticipatory bail. Thereafter, Mool Chand was arrested and was granted regular bail by this Court vide order dated 16.11.2020 passed in CRM-M No.34713 of 2020.

Petitioner was arrested on 06.10.2020. Challan stands presented.

Factual position of the case could not be disputed by learned State counsel, however, learned counsel for the complainant opposed the bail on the ground that the forgery is writ large on the face of record and the allegations are also under Prevention of Corruption Act.

Taking into consideration the period of custody and the deposit of Rs.3,80,000/- made by Ashok Kumar, Proprietor of A.K. Construction, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

January 25, 2021

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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