

**212+221 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of Decision: 9th December, 2021

1. CRM-M-39998-2021 (O&M)

Varun Dev Garg

... Petitioner

Versus

State of Haryana

... Respondent

2. CRM-M-50276-2021

Sunil Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. R.S. Rai, Sr. Advocate with
Mr. Karan Pathak, Advocate and
Mr. Ashit Malik, Advocate for the petitioner(s).

Ms. Dimple Jain, AAG, Haryana for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. These two petitions under Section 439 Cr.P.C. is filed seeking regular bail in FIR No.0487, dated 25th June, 2021, under Sections 420, 120-B IPC and later on added Sections 406, 409 IPC and Sections 7, 13 (1) (d) of Prevention of Corruption Act, 1988 (Amended Act 2018) registered at Police Station Camp Palwal, District Palwa.

2. The brief facts are that the Varun Dev Garg (petitioner in CRM-M-39998-2021) was working as a Computer Operator on contractual basis in the office of Land Acquisition Collector. Sunil Kumar (petitioner in CRM-M-50276-2021) was working as Reader to S.D.O., Civil Palwal. Certain land was to be acquired for a project of Railway. As per the policy,

the owner of land was to get compensation as well as a government

job. A complaint was received by Deputy Commissioner, Palwal that the petitioners in order to get a government job as per the policy had purchased a portion of land sought to be acquired. The matter was enquired into, on the basis of enquiry, the FIR was registered.

3. Learned counsel for the petitioners submit that the case is based upon the documentary evidence, investigation is complete and challan stands presented. No recovery is to be made from them, they are in custody from first week of August, 2021, they have no criminal antecedents and no benefit ultimately accrued to the petitioners.

4. Learned State counsel opposes the prayer for grant of regular bail and submits that there are serious allegations that they tried to hood wink the authorities and take undue benefits of their official position.

5. The allegations are that in order to avail benefit of getting a government job as per the policy of acquisition petitioners manipulated purchase of share of land before the acquisition was notified. Primarily the case is based upon documentary evidence, no recovery is to be made from the petitioners and conclusion of the trial is likely to take time, the petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petitions are allowed.

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

8. Photocopy of this order be placed on the file of connected case.

(AVNEESH JHINGAN)
JUDGE

9th December, 2021

Parveen Sharma