

109+230

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

Decided on : 3rd February, 2022

1. CRM-3431-2022 in/and CRM-M-1032-2022

Babu Lal

Petitioner

Versus

State of Haryana

Respondent

2. CRM-M-2456-2022

Vikas

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Tushar Gautam, Advocate for the applicant/petitioner
in CRM-3431-2022 and CRM-M-1032-2022.

Ms. Puja Chopra, Advocate for the petitioner
in CRM-M-2456-2022.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

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

[2] These two petitions are filed seeking regular bail in FIR No.
487, dated 25th June, 2021, under Sections 120-B and 420 IPC (Sections
406, 409, 467, 468, 471 and 419 IPC and Sections 7, 13-D(1) of the

Prevention of Corruption Act, 1988 were added later on), registered at Police Station, Camp Palwal, District Palwal.

[3] The brief facts are that both Babu Lal and Vikas (petitioners) were employed on contractual basis in the Revenue Department and were discharging their duties as *Patwari*. 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.

[4] Learned counsel for the petitioners submit that the cases are 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 September and October, 2021 respectively and they have no criminal antecedents. Contention is that co-accused were granted bail.

[5] 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.

[6] The allegations are that in order to avail benefits 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 cases are based upon documentary evidence. Considering that co-accused were granted bail, 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.

[7] The petitions are allowed.

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

[9] Since the main cases are disposed of, the pending application, if any, stands disposed of.

[10] Photocopy of this order be placed on the file of connected case.

**[AVNEESH JHINGAN]
JUDGE**

3rd February, 2022
pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes