

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

DECIDED ON: 21st April, 2022

(1) CRM-M-2934 of 2022 (O&M)

Ramesh Kumar

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-12171 of 2022 (O&M)

Ram Chand

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(3) CRM-M-52725 of 2021 (O&M)

Gurinderpal Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(4) CRM-M-1854 of 2022 (O&M)

Davinder Kumar

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. A.S. Brar, Advocate
Mr. P.S. Brar, Advocate and
Mr. S.K. Bokolia, Advocate for petitioners.

Mr. Amit Mehta, Sr. DAG Punjab.

Mr. Deepak Gupta, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

Petitioners are before this Court seeking regular bail in case of FIR No. 12 dated 18.10.2021, under Sections 13(1)(A) (2) of the Prevention of Corruption Act, 1988, as amended by PC (Amendment) Act, 2018 and Sections 409, 120-B IPC, 1860, registered at Police Station Vigilance Bureau Range, Ferozepur, District Ferozepur.

As per the allegations in the FIR, certain records of property tax branch, Municipal Council, Jaitu was missing. The matter was inquired into by the Chief Director Vigilance Bureau.

The petitioners were posted as Clerk at the relevant time and the allegations are that they misappropriated the records pertaining to property tax.

Learned counsel for the petitioners submits that the petitioners are in custody since 19.10.2021, investigation is complete, no recovery was made from the petitioners and they are not involved in any other case.

Learned State counsel opposes the prayer and submits that though challan stands presented qua the petitioners but the matter has been kept open to ensure that if more material is received from the affected persons, the same can be considered.

Mr. Deepak Gupta, Advocate appears for complainant and submits that the government record was misappropriated, resultantly the citizens of the area will have to suffer.

The petitioners are in custody since October, 2021, investigation is complete, as per the contentions no record was recovered from the petitioners, misappropriation of the record of the property tax is primarily based upon the documentary evidence, the petitioners have no criminal antecedents and conclusion of trial is likely to take time, the petitioner are granted bail on furnishing their surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

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

Needless to say that in case of change in circumstance, the State

would be at liberty to avail remedy in accordance with law.

CRM-M-2934 of 2022 (O&M), CRM-M-12171 of 2022 (O&M), CRM-M-52725 of 2021 (O&M) and CRM-M-1854 of 2022 (O&M) -3-

Photocopy of this order be placed on the files of connected cases.

21st April, 2022
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(AVNEESH JHINGAN)
JUDGE

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