

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

CRM-M-21503 of 2022 (O&M)

DECIDED ON: 23rd May, 2022

Rajesh Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Rajesh Lamba, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No. 487 dated 25.6.2021, under Sections 420, 120 IPC, 1860, (Sections 406, 409 IPC and Section 7/13(1)(d) of Prevention of Corruption Act, 1988, added lateron) registered at Police Station Camp Palwal, District Palwal.

The brief facts are that petitioner-Rajesh Kumar was employed on contractual basis in the Revenue Department and was discharging his duties as Patwari. Certain land was to be acquired for a project of Railway. As per the policy, the owner of the land was to get compensation as well as a government job. A complaint was received by Deputy Commissioner, Palwal that the petitioner 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.

Learned counsel for the petitioner submits that the case is based upon the documentary evidence, investigation is complete and challan stands presented. No recovery is to be made from him, he is in custody since 25.3.2022 and has no criminal antecedents. Contention is that co-accused were granted bail.

Learned State counsel opposes the prayer for grant of regular bail and submits that there are serious allegations that the petitioner tried to hoodwink the authorities and took undue benefits of his official position.

The allegations are that in order to avail benefits of getting a Government job as per the policy of land acquisition, petitioner manipulated purchase of share of land before the acquisition was notified. Primarily the case is based upon documentary evidence. Considering that co-accused were granted bail, no recovery is to be made from the petitioner, conclusion of trial is likely to take time, 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.

Since the main case has been decided, the pending application, if any is rendered infructuous.

23rd May, 2022

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*