

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

DECIDED ON:30th September, 2022

(1) CRM-M-33953 of 2022 (O&M)

Daulat Ram Bhaskar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

(2) CRM-M-43611 of 2022 (O&M)

Satbir Singh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Puneet Bali, Sr. Advocate with
Mr. Varinder Pal Singh Sandhu, Advocate,
Mr. Manvendra Singh Bishnoi, Advocate,
Ms. Kajal, Advocate,
Mr. Sreeyash U. Lalit, Advocate,
Mr. Uday, Advocate and
Ms. Bhawna Chaudhary, Advocate
for petitioner-Daulat Ram Bhaskar.

Mr. R.S. Rai, Sr. Advocate with
Mr. Gautam Dutt, Advocate
for petitioner-Satbir Singh.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioners are seeking regular bail in case of FIR No.13 dated 19.4.2022, under Sections 166, 167, 201, 218, 409, 420, 467, 468, 471, 120-B IPC and Sections 7, 13(1)(c), 13(1)(d), 13(2) of Prevention of Corruption Act, 1988, registered at Police Station SVB Faridabad, District Faridabad.

As per the case set up, the officials of Municipal Corporation, Faridabad, in conspiracy with Contractors awarded work relating to laying of interlocking Paver tiles, supply of stone metal, construction of culvert and repair of drains aggregating to Rs.4.92 crores. The work was awarded to the Companies and Concerns of Satbir Singh (petitioner in CRM-43611 of 2022). The allegations are that due process was not followed and to help the contractors, the non-urgent works were awarded at uniform rates by invoking urgency clause. The bills were verified by Junior Engineer (J.E.)/Assistant Engineer (A.E) and XEN and payments were made. On a complaint received, the matter was inquired into by the Chief Secretary and enquiry No.2 dated 10.2.2021 was held. Three different FIRs were registered on the basis of one inquiry.

Learned Senior counsel for petitioners submits that petitioner-Satbir Singh has been granted regular bail by the Sessions Court in two other FIRs arising from same inquiry i.e. FIR No.21 dated 16.6.2022 and FIR No. 11 dated 24.3.2022.

It is further submitted that petitioner-Daulat Ram Bhaskar, has been granted regular bail in one FIR arising from this enquiry.

The contention is that XEN and JE, who had actually verified the work done and passed the bills, were granted anticipatory bail by this Court. Petitioner-Satbir Singh is in custody since April 2022 and petitioner-Daulat Ram Bhaskar is in custody since 13.5.2022. Investigation is complete qua the petitioners and challan stands presented.

Learned State counsel relying upon the pleadings of the reply filed in case of Daulat Ram Bhaskar (petitioner) submits that the allegations are serious. There is evidence to show the connivance of petitioners with each

petitioners have been granted bail in other FIRs having similar allegations and the fact that XEN and JE were granted anticipatory bail by this Court.

Without commenting upon the merits of the case, considering that in the FIRs with similar allegations, the petitioners have been granted bail by Sessions Court, the orders have been accepted by the State, so is the position with regard to orders granting anticipatory bail to JE and XEN by this Court, though investigation is complete conclusion of trial is likely to take time, the petitioners are granted bail subject to furnishing surety bonds of Rs.1,00,000/- each to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition are allowed.

In case of any change in circumstances or mis-use of the bail, the State would be at liberty to avail remedy in accordance with law.

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.

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

30th September, 2022

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*

Whether reportable *No*