

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2435-2023 (O&M)
Date of Decision:-20.1.2023

Inderjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shamsher Singh Gill, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by DSP Inderpal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.09, dated 28.7.2022 at Police Station Vigilance Bureau, Economic Offences Wing, Ludhiana, Punjab under Sections 7, 7A, 8, 12, 13(2) of Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption Amendment Act, 2018, Sections 409, 420, 467, 468, 471, 120-B of Indian Penal Code and Sections 65, 66, 66C, 66D of Information and Technology Act, 2000.
2. The allegations, in nutshell, are to the effect that several irregularities had been committed in the matter of allotment of plots by Improvement Trust, Ludhiana and also in the matter of waiving the Non Construction Fee (NCF), which is to be imposed upon the allottees in case requisite construction is not

made during the stipulated period. It is the case of the prosecution that during the course of investigation, it was found that the petitioner, who was working as a Junior Engineer with Improvement Trust, Ludhiana, had furnished incorrect reports regarding the basic amenities i.e. sewerage and water-supply etc. not having been extended to the allottees in question and on the basis of which the NFC was waived off, whereas as a matter of fact the said amenities already stood extended in the neighbouring plots.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case. It has further been submitted that since identically situated co-accused, namely, Sandeep Sharma, Parveen Kumar and Kamaldeep Singh have already been granted bail vide common order dated 04.01.2023 (Annexure P-4) passed in CRM-M-44207-2022 the petitioner also deserves the same concession on grounds of parity particularly when challan already stands presented.
4. Opposing the petition, learned State counsel has submitted that it is a case where false and incorrect notings had been prepared by the petitioner so as to facilitate the waiver of NCF, which was to be imposed upon the allottees, and thus his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4 months & 2 days and that challan stands presented and as many as 23 PWs have been cited. It has also been informed that the petitioner is not involved in any other case.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards the merits of the case, but having regard to the custody of the petitioner, which is about 4 months & 2 days and

challan already stands presented and even the co-accused have been granted bail vide common order dated 04.01.2023 (Annexure P-4) passed in CRM-M-44207-2022, the petitioner also would also deserve to be dealt with in the same manner. The petitioner otherwise is not stated to be involved in any other case. Conclusion of trial is likely to take some time inasmuch as the trial has not even commenced till date and as many as 23 PWs have been cited. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

20.1.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No