

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

CRM-M-3147-2023 (O&M)
Date of Decision:-27.4.2023

Virender ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jasdev Singh Mehndiratta, Advocate for the petitioner.

Ms. Geeta Sharma, DAG, Haryana,
assisted by ACP, Harvinder Kumar.

FIR No.	Dated	Police Station	Section/s
521	12.12.2022	Bilaspur, District Gurugram	420, 467, 468, 471, 511, 34, 120-B of IPC and 13(1)(d) of Prevention of Corruption Act, 1988.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of the above mentioned FIR.
2. At the time of issuance of notice of motion, the following order was passed on 20.1.2023:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 521, dated 12.12.2022, Police Station Bilaspur, District Gurugram, under Sections 420, 467, 468, 471, 511, 34 and 120-B IPC and Section 13(1)(d) of the Prevention of Corruption Act, 1988.

The FIR was lodged by one Vikram Singh wherein it is alleged that he owns agriculture land situated in District Gurugram, which he had leased out to his uncle Mahavir Singh for cultivation. It is alleged that they had recently harvested Bajra crop. On 07.9.2022, complainant's uncle Mahavir Singh called the complainant telephonically and informed him that some officials from Department of Agriculture, Gurugram, had visited him in connection with claim for loss of crop. The complainant has alleged that upon getting the said information, he was surprised as he had not lodged any such claim. The complainant has further alleged that upon inquiries, he came to know that Sneh Lata along with her husband Ajit and her father-inlaw Satish in connivance with officials of Department of Agriculture, Gurugram, including Virender, Block Technical Manager (petitioner) had prepared fake lease document pertaining to his land and had thereafter appended fake signatures for the purpose of getting compensation in an illegal manner under the Scheme 'Prime Minister Fasal Bima Yojna' (PMFBY). It is further alleged that the accused had been getting compensation released in such illegal manner since long and as a matter of fact there had been no natural calamity in their area since the last 2-3 years.

Learned counsel for the petitioner submits that the petitioner is an outsourced employee, working for Department of Agriculture and that he had conducted physical inspection of the land in question on 08.7.2022 to the effect that crop had been sown on the land in question and that thereafter he had not issued any such report to facilitate the release of compensation in an illegal manner and infact no such compensation has been released.

Notice of motion for 27.4.2023.

At this stage Mr. Gurmeet Singh, AAG, Haryana, accepts notice on behalf of respondent-State.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety

bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

Reply, if any, be filed on or before the next date of hearing.”

- 3. Learned State counsel, upon instructions from ACP, Harvindre Kumar, has informed that pursuant to interim directions, the petitioner has since joined investigation and that he is not required for any custodial interrogation.
- 4. In view of the aforestated position, wherein the petitioner is stated to have joined investigation and is not stated to be required for any further investigation, the petition is accepted and the interim directions issued by this Court vide order dated 20.1.2023 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

27.4.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No