

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

211

CRM-M-15104-2023 (O&M)

Date of Decision: 29.03.2023

Rupinder Singh Manku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Keshav Pratap Singh, Advocate, for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.06, dated 08.05.2021, at Police Station State Vigilance Bureau, Phase-1, District SAS Nagar, Mohali, under Sections 409, 420, 419, 465, 467, 468, 471, 477-A, 201, 120-B IPC; Sections 7, 13(2) of the Prevention of Corruption Act and Sections 80, 81, 82 of the Registration Act.
2. The allegations, in nutshell, are to the effect that Iqbal Singh Revenue Patwari, alongwith his other co-accused Varinderpal Singh Dhoot, Naib Tehsildar, Rupinder Singh Manku, Joint Sub Registrar (petitioner), Daulat Ram, Revenue Patwari, Sham Lal, Rabbi Singh, Dharam Pal, Sucha Ram, Paramjit Singh, Ravinder Singh and Hans Raj had entered into a criminal conspiracy with each other and had usurped the *Shamlat Deh* land of Village Majrian bearing Khewat/Jamabandi No.273 (as per jamabandi for the year 1983-84), which was changed from the name of Gram Panchayat as owner of the aforesaid *Shamlat Deh* vide mutation No.2026, dated 07.05.1991 in the names of various private individuals without any rule or authorization

permitting the same and the *khasra girdawaris* were also changed from the name of Gram Panchayat, Village Majrian by various Patwaris in the names of various private individuals including the aforesaid accused persons. It is alleged that forgery/tampering with the revenue record pertaining to aforesaid land in the “*Parrhat Patwar*” had been made and many new persons had been shown as co-sharers in the aforesaid land and shares of many co-sharers had been increased. It is alleged that the aforesaid accused in connivance with each other had prepared forged and fabricated Power of Attorneys with respect to their fake shares in the aforesaid *Shamlat Deh* land of village Majrian.

3. As per the case of prosecution, *shamlat* land of Village Majrian, District Mohali was transferred in the name of 14 private individuals in the year 1991, the details of which are as follows:

Sr. No.	Name	Original Owner/ Original share	As per record included share	Area as per than share	Area from enhanced share
1	Sukhdev Singh son of Harnam Singh	Nil	440 parts	Nil	20 Acres
2	Amrik Singh son of Ujjagar Singh	Nil	1533 parts	Nil	69.68 Acres
3	Rakesh Attri son of Girdhari Lal	Nil	1680 parts	Nil	76.36 Acre
4	Bir Singh son Gurdas Singh	–	378 parts	--	17.18 Acres
5	Sampooran Singh son of Rai Singh	1321 parts	1531 parts	6.95 Acres	62.64 Acres
6	Babu Ram, Kalu Ram, Sita Ram, Pooran sons of Ujjagar	262 parts	1437 parts	11.90 Acres	53.41 Acres
7	Kamaljit Singh of Amrik Singh	Nil	1720 parts	Nil	78.18 Acres
8	Ram Asra son Sadaa Ram	–	399 parts	--	18.13 Acres
9	Surjan son of Kapooria	–	1306 parts	--	59.36 Acres
10	Smt Maya D/o Chajju	–	336 parts	--	15.27 Acres
11	Biro D/o Bishni	–	376 parts	--	17.90 Acres
12	Smt Mato D/o Nandu	–	758 parts	--	34.45 Acres
13	Rala Ram son of Jaati	–	453 parts	--	20.59 Acres
14	Ram Gopal son of Bachan son of Karmo	–	330 parts	--	15 Acres
	TOTAL				558.15 acre

4. Learned counsel for the petitioner has submitted that even as per the case of prosecution the petitioner is not a beneficiary and is sought to be implicated on the premises that he in the capacity of Sub Registrar had registered some Powers of Attorneys purportedly executed by some persons, who were found to be non-existent.
5. Opposing the petition, learned State counsel has submitted that the petitioner is part & parcel of the larger conspiracy and that the Power of Attorneys had been registered even in respect of executants, who had long since expired. Learned State counsel has further submitted that since on the basis of such Power of Attorneys land had been transferred, the complicity of the petitioner is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 5 months & 28 days and challan stands presented, but charges are yet to be framed and as many as 32 PWs have been cited. It has also been that the petitioner stands involved in 1 more case.
6. This Court has considered rival submissions.
7. Though there are specific allegations against the petitioner, but while noticing that the petitioner has been behind bars for the last about 5 months & 28 days, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. 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.

29.03.2023

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(GURVINDER SINGH GILL)
JUDGE