

CRM-M-39163-2023
Decided on: 14.09.2023

Binder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. A.D.S. Jattana, Advocate and
Mr. Mandeep Singh Gill, Advocate
for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
16	02.05.2023	Vigilance Bureau, Flying Squad-1, Punjab at Mohali	13(1)(a) read with 13(2) of Prevention of Corruption Act as amended by P.C. (Amendment) Act 2018 and Sections 409, 420, 465, 466, 468, 471 & 120-B IPC (201 IPC and Section 13(1(b) of PC Act added later vide order dated 11.09.2023)

1. The petitioner incarcerated in the FIR captioned above, has come up before this Court under Section 439 CrPC seeking bail.
2. Allegations against the petitioner are that he along with other co-accused hatched a conspiracy and illegally obtained compensation of Rs.32 lacs from the government in lieu of acquisition of his land.
3. Vide order dated 06.09.2023, the petitioner was granted interim bail subject to complying with some conditions.
4. Counsel for the petitioner submits that they have voluntarily complied with the order dated 06.09.2023 and handed over the affidavits to the State counsel.
5. However, on instructions, counsel for the State has opposed the bail on the ground that now all the beneficiaries are depositing the entire compensation amount and some have even deposited the interest accrued thereupon. At this, petitioner's

counsel submits that they would also deposit the balance of compensation amount.

6. Given the candid stand of the petitioner, he is directed to deposit the entire compensation amount by 31.10.2023. It is clarified that although the affidavit has been handed over to the State but after deposit of the compensation amount, the investigator shall return the original affidavit to the petitioner. It is further clarified that since the offer of returning the entire compensation amount is voluntary, it is clarified that in case, the petitioner fails to deposit the fine till 31.10.2023, State shall file an application for cancellation of bail. It is further clarified that in case, the petitioner is held entitled to the money in any legal proceedings, he may raise claim for any interest thereupon.

7. Given above, petition is allowed in the terms mentioned above. Interim order dated 06.09.2023 is made absolute. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

14.09.2023
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Whether speaking/reasoned: Yes
Whether reportable: No.