

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

203

CRM-M-55092-2022 (O&M)

Date of Decision: 03.03.2023

Jagdish Chander

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vikas Bishnoi, Advocate,
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by DSP Rakesh Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.13 dated 29.06.2022 at Police Station SVB Hisar, District Hisar, under Sections 166, 177, 409, 418, 420 & 120-B IPC and Sections 13(1)(c), 13(1)(d) and 13(2) of the Prevention of Corruption Act.
2. The allegations, in nutshell, are that surplus land situated in district Fatehabad was allotted by the Revenue officials including Tehsildar to persons, who otherwise were not eligible, without conducting requisite verification and without following the prescribed procedure.
3. Learned counsel for the petitioner has submitted that the petitioner at the relevant time was posted as a Patwari and had simply made reports to the

effect that the land in question is surplus land and that he had no role whatsoever to play as regards the allotment of the surplus land.

4. Opposing the petition, learned State counsel has submitted that the petitioner was hand in glove with the other co-accused i.e. Revenue officials as well as the beneficiaries and that having regard to the totality of facts, his complicity 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 and that investigation is complete and challan stands presented and sanction for prosecution of petitioner has also been received. It has been informed that charges are yet to be framed and as many as 16 PWs have been cited. It has also been informed that some of the co-accused are yet to be arrested and sanction in respect of some other officials/co-accused is yet to be received. It has further been informed that the petitioner otherwise is not involved in any other case.
5. This Court has considered rival submissions.
6. Having regard to the fact that the petitioner has been behind bars for a substantial period of about 5 months and that conclusion of trial is likely to consume time inasmuch as the trial has not even commenced till date and sanction qua some of the co-accused is still awaited, further detention of the petitioner, who otherwise has a clean record, 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.

03.03.2023
Vimal

(GURVINDER SINGH GILL)
JUDGE

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