

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

CRM-M-57862-2022 (O&M)
Date of Decision:-12.1.2023

Jugnu Kumar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parampreet Singh Bajwa, 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 vide FIR No.12, dated 26.5.2022 at Police Station Vigilance Bureau, Punjab, under Sections 406, 420, 409, 465, 467, 468, 471, 120-B of Indian Penal Code and Sections 13(1)(A) read with Section 13(2) of Prevention of Corruption Act, 1988.
2. As per the case of prosecution, 'Shamlat' land in respect of Villages Aakrri, Sehra, Sehri, Pabra and Takhtu Majra was acquired by Punjab Urban Development Authority (PUDA) and the compensation amount received in respect of the said acquisition was invested in FDR, which was to be used for development works subject to prior approval of the authorities concerned for the purpose of utilization of the said amount. It is alleged that the members

of '*Panchayat*' in connivance with the officials, contractors and businessmen embezzled the funds of the '*Panchayat*' on the pretext of carrying out construction, renovation and development activities etc., which infact were never executed. The allegation against the petitioner is that he had been working with Dinesh Bansal, who had been allocated work of supplying building material. It is the specific case of the prosecution that an amount of Rs.2,30,000/- was deposited in the bank account of the petitioner.

3. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case and has nothing to do with the allocation of any contract or execution of any work and the amount had been deposited in his bank account as he had signed a voucher, given to him by Dinesh Bansal, in good faith.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is beneficiary of an amount released on account of the development work, which infact was never executed, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 5 months and otherwise has a clean record and that challan already stands presented.
5. Having regard to the facts and circumstances of the case but without commenting anything as regards merits of the case and while also noticing that the petitioner has been behind bars for a substantial period of more than 5 months and otherwise enjoys a clean record and challan already stands presented, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume 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.

12.1.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No