

217/2

2024:PHHC:163582



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56411-2024
Date of Decision: 09.12.2024

Raja Ram ...Petitioner(s)
Vs.
State of Haryana ...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ashit Malik, Advocate, for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition is for grant of anticipatory bail to the petitioner in case FIR No.39 dated 05.12.2023 registered under Sections 120-B, 218 and 420 of IPC and Section 13 of Prevention of Corruption Act at Police Station ACB, Gurugram.
2. Learned counsel for the petitioner contends that the petitioner was having the additional charge of the post of Secretary in Municipal Committee, Mahendergarh for a period from 19.07.2021 to 13.08.2018. He further contends that only allegation against the petitioner is that he had issued NDC/NOC of unauthorized colony. He further contends that in fact, the Municipal Committee had to issue no due certificate with regard to any dues pending with regard to the plot for the purpose of registration of the sale deed. The NDC, which was issued by the petitioner pertained to Abadi Deh and the land was situated in ward numbers 3 and 4 for the purposes of collection of taxes etc. Consequently, the allegations with regard to issuing the NDC of unauthorized colony did not arise. He further contends that the documentary evidence has already been collected by the police during the course of investigation and the petitioner had already joined the investigation in the present case. Thus, the custodial interrogation of the

petitioner may not be required in the peculiar facts and circumstances of the present case.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of anticipatory bail.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, the case seems to be based on documentary evidence. Thus, further custody of the petitioner may not be required.

6. In view of the above, without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

09.12.2024
amit rana

(N.S.SHEKHAWAT)
JUDGE

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