



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

219

CRM-M-20784-2025**Date of decision: May 06, 2025**

PARAMJIT SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Robin Dutt, Advocate
for the petitioner.

Mr. H.S. Deol, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.04 dated 18.02.2025 under Sections 13(1)(A) & 13(2) of the Prevention of Corruption Act and Sections 409, 420 of the IPC registered at Police Station Vigilance Bureau, Range Ferozepur, District Ferozepur.

2. Learned counsel for the petitioner has vehemently argued that the petitioner has been falsely implicated in the instant case, which pertains to an auction of Gram Panchayat land conducted on 30.06.2020. It is submitted that the FIR has been lodged after an inordinate and unexplained delay of more than 4 years, which casts serious doubt on the credibility of the allegations. It is further contended that the petitioner had assumed charge as the Block Development and Panchayat Officer (BDPO), Fazilka only on 29.06.2020 i.e. just a day prior to the impugned auction, and therefore, attributing any role to him in the alleged manipulation is inherently implausible. Learned counsel has emphasized that the petitioner was a

resident of another district and had no prior familiarity or connection with the local administrative or social milieu of Fazilka, where he remained posted only for 6 months.

3. Learned counsel for the petitioner has also sought to explain the allegedly low price at which 44 acres of Gram Panchayat land were auctioned by citing the impact of COVID-19 pandemic, which, according to him, adversely affected public participation and suppressed competitive bidding. It is submitted that the irregularity, if any, was later rectified when the auction was annulled by the competent authority i.e. the District Development and Panchayat Officer (DDPO), on 21.07.2020, and a fresh auction was held on 07.09.2020. Since the transaction stood nullified and no permanent financial loss accrued to the Gram Panchayat, it is argued that the initiation of criminal proceedings against the petitioner is not only unwarranted but also unjust.

4. Learned State counsel has filed reply by way of affidavit of the Deputy Superintendent of Police, Vigilance Bureau Unit Fazilka, District Fazilka on behalf of the respondent-State in the Court today, which is taken on record subject to all just exceptions. Learned State has opposed the prayer and submissions made by the counsel opposite by submitting that the petitioner, though having joined shortly before the auction, was the senior-most officer present and acted as the Auction Recorder in the proceedings held on 30.06.2020. It is pointed out that he not only recorded but also signed and approved the auction, thereby playing an active and facilitative role in the conduct of the same. The auction, it is alleged, was conducted in a clandestine and irregular manner, wherein 44 acres of valuable land

belonging to the Gram Panchayat were allotted for a paltry sum of Rs.11 lakhs to persons closely related with co-accused Sherbaj Singh, the then Sarpanch. The amount received was drastically lower than the market potential and significantly below the amount realized in the preceding year for similar land.

5. Learned State counsel has still further submitted that the petitioner, by virtue of his official capacity, was fully conversant with the statutory framework and procedural safeguards governing Panchayat land auctions, and cannot evade responsibility by merely citing his recent appointment. It is argued that the petitioner acted in collusion with the Sarpanch to suppress transparency and competition, thereby causing wrongful gain to private persons and corresponding loss to public funds. Learned State counsel has also contended that the custodial interrogation of the petitioner is imperative to uncover the larger conspiracy, identify all beneficiaries, and trace any possible financial transactions arising from the said illegalities.

6. I have heard learned counsel for the parties and perused the relevant material placed on record.

7. At this stage, the material on record discloses serious and specific allegations against the petitioner. The allegations are also indicative of a *prima facie* abuse of his official position as BDPO Fazilka. The petitioner is alleged to have actively officiated as the auction recorder and to have officially signed off on the impugned proceedings. His endorsement and approval of auction, which *prima facie* stands vitiated by procedural impropriety and gross undervaluation, reflect a degree of conscious

involvement, which cannot be brushed aside as inadvertent or peripheral. The belated registration of the FIR, though a factor for consideration, does not, in itself, efface the gravity or the substance of the allegations, particularly when the record suggests premeditated collusion and deliberate concealment.

8. The contention that the irregularity stood subsequently cured by annulment of the auction and re-conduct thereof, is also of limited persuasive value at this stage. Rectification of administrative irregularity may mitigate the financial consequence, but cannot, by itself, obliterate the penal liability, if any, for acts already committed in breach of law.

9. In the facts and circumstances as enumerated hereinabove, and keeping in mind the serious nature of allegations, the active role *prima facie* attributed to the petitioner, and the necessity of custodial interrogation to unravel the full scope of the alleged conspiracy, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

10. Accordingly, the instant petition stands dismissed.

11. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 06, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*