

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-11624 of 2015 (O&M)
Date of Decision: 22.4.2015

Padam Singh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Manoj Bajaj, Advocate for the petitioner.

Mr. Arun Kumar, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the instant petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No.12 dated 30.12.2014 under Sections 7 & 13 of Prevention of Corruption Act, registered at Police Station, State Vigilance Bureau, Panchkula.

Learned counsel for the parties have been heard.

The F.I.R was registered on the complaint of Sanjeev Kumar, who has alleged that for the purpose of securing registration of Guru Ravi Dass Dharamsthan with the District Registrar, Firms & Societies, an application had been submitted on 15.9.2014 and since objections had been raised on the application, the present petitioner had demanded a sum of Rs.5,000/- towards illegal gratification for facilitating the registration of the society.

Learned counsel appearing for the petitioner has pointed out that the alleged demand as per version of the complainant was made on 29.12.2014, whereas, as per document placed on record at Annexure P-4 the

Certificate of Registration of the society i.e. Shri Guru Ravi Dass

Dharamsthan already stood issued prior thereto i.e. on 24.12.2014. Contention raised is that there was no occasion whatsoever for the petitioner to have raised a demand for illegal gratification in relation to a job that had already been done.

Learned State counsel upon instructions from Inspector Suresh would apprise the Court that investigation in the case having completed, challan was presented on 26.2.2015 and thereafter even charges have been framed on 17.3.2015. The trial, as such, would take some time to conclude.

The petitioner has been in custody since 30.12.2014.

In the totality of the circumstances, the petitioner is held entitled to the concession of regular bail. Petition, accordingly, is allowed.

Bail to the satisfaction of Trial Court.

It is, however, clarified that the observations made in this order are confined only as regards considering the prayer of the petitioner for grant of regular bail and would have no bearing on the merits of the case.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 22, 2015
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