

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-13660 of 2015

Date of Decision: 25.5.2015

Pushgar Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Darshan Singh.

Present: Mr. Rakesh Nehra, Advocate
for the petitioner(s).

Mr. Anmol Malik, Assistant Advocate
General, Haryana for the respondent.

Darshan Singh, J.

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (hereinafter referred to as "Cr.P.C.") for grant of regular bail to the petitioner in case FIR No. 37 dated 13.11.2013, registered under Sections 409 & 420 of the Indian Penal Code, 1860 (hereinafter referred to as "IPC") and Section 13(1)(d) of the Prevention of Corruption Act, 1988 (hereinafter referred to as "the Act") at Police Station State Vigilance Bureau (H), Rohtak, District Rohtak.

2. As per the prosecution allegations, the petitioner has disbursed a sum of ₹ 20,00,000/- to a society managed by his wife and son. The said money was meant for providing financial help to the Labour Construction Societies.

3. Learned counsel for the petitioner pleads that the entire money was already deposited back with the bank, which is evident from the copy of ledger (Annexure P5) and the certificate issued by the

Chief Executive Officer of the bank (Annexure P6). He further contended that the petitioner is in custody for the last one & half month and he is no longer required for the purpose of investigation.

4. On the other hand, learned State counsel pleaded that the petitioner has misutilized the Government money. So, the petitioner does not deserve the concession of regular bail.

5. I have duly considered the aforesaid contentions.

6. This fact has not been disputed at bar that the entire money has already been deposited back with the bank. It is also not disputed that the petitioner has already been remanded to judicial custody. He is in custody for the last more than about one month & 11 days. His further detention in jail will not serve any purpose.

7. Without expressing any opinion on the merits of the case, the present petition is hereby allowed and the petitioner is granted regular bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate, Jhajjar.

(Darshan Singh)
Judge

May 25, 2015

“DK”