

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

**CRM-M No. 24561 of 2015 (O&M)
Date of decision: 06.08.2015.**

Vikas Petitioner.

Versus

State of Haryana Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. J.C. Malik, Advocate, for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana, for the respondent.

NAVITA SINGH, J. (ORAL)

This petition has been moved by the petitioner under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No. 34 dated 29.05.2015, under Sections 7 and 13 of the Prevention of Corruption Act of Police Station State Vigilance Bureau, Rohtak.

The petitioner is in custody since 29.05.2015. Charge-sheet has been presented in Court. However, trial has yet not started.

Counsel for the petitioner submits that in the remand papers produced by the police the allegations were that the petitioner was caught red handed with an amount of Rs.40,000/-, whereas in the reply to the bail application filed before the trial Court, the amount was given as Rs.50,000/-.

As per the FIR, the complainant was to pay an amount of Rs.50,000/- to the petitioner and co-accused Sunil. Therefore, there was definitely a mistake in mentioning the amount, which cannot become a

ground for grant of bail.

State counsel submits that co-accused Sunil is absconding and has been declared proclaimed offender.

However, this aspect has nothing to do with the present petitioner and case of the present petitioner is to be considered irrespective of the fact as to whether or not Sunil is absconding.

Since trial of the case has yet not begun and the petitioner is neither a previous convict nor is wanted in any other case and his custody is not required for any specific purpose, it is felt that the request of the petitioner should not be declined.

In view of the above, the request of the petitioner for bail is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of trial Court/Duty Magistrate.

(NAVITA SINGH)
JUDGE

06.08.2015
Ramesh