

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

CRM-M-25730-2015 (O&M)  
Date of decision : 10.08.2015

Vikas Sharma

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Rajesh Bansal, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana  
assisted by SI Sultan Singh.

**JITENDRA CHAUHAN, J.**

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.33 dated 29.05.2015, registered under Section 7, 8 and 13 of the Prevention of Corruption Act and Section 120-B of the Indian Penal Code, at Police Station State Vigilance Bureau, Rohtak Division, Rohtak.

It is contended that the petitioner is not a Government servant, therefore, the FIR under Sections 7, 8 and 13 of the Prevention of Corruption Act, cannot stand against him. He further states that beyond the disclosure statement of the co-accused, there is nothing on

record to show that the petitioner was a party to the alleged payment made through the petitioner to co-accused, Vikas Attri. There is no reference of his role in the statement of the complainant dated 30.05.2015, recorded under Section 164 Cr.P.C.

The learned State counsel, on the other hand, has not been able to controvert the fact that the name of the petitioner is not reflected in the statement recorded under Section 164 Cr.P.C. He, on instructions, also admits that the petitioner is not involved in any other case.

Heard.

The petitioner is in custody since 29.05.2015. He is not involved in any other case. The challan already stands presented. Out of twenty prosecution witnesses, none has so far been examined, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

**10.08.2015**  
*atulsethi*

**(JITENDRA CHAUHAN)**  
**JUDGE**