

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

Crl. Misc. No.M-31039 of 2015 (O&M)

Date of Decision: 21.09.2015

Karan Singh

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. S.S. Pathania, Advocate
for the petitioner.

Mr. Vikas Malik, D.A.G., Haryana
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case, FIR No.237 dated 10.05.2013 registered under Section 420 IPC at Police Station Sector 5, Panchkula.

Learned counsel for the petitioner submits that the petitioner has already been punished by the concerned authority as the order of stoppage of increment and recovery of amount of ₹ 10,000/- has been passed but subsequently that recovery has been set aside in appeal. Learned counsel also submits that while setting aside the order of recovery, it was mentioned by the appellate authority that it has come in the inquiry that the petitioner was not drawing any house rent as he was residing in official accommodation. However, because of that finding, the

recovery was not required to be effected as the petitioner was residing in Nigam's accommodation. Learned counsel also submits that nothing is to be recovered from the petitioner and he is in custody since 30.07.2015. He further submits that similarly situated persons, namely, Ram Dhan and Kamal have been released on regular bail by this Court in **Criminal Misc. No.M-29575 of 2015** and **Crl. Misc. No.M-29683 of 2015**.

Learned counsel for the respondent-State has not disputed the custody period.

Keeping in view the submissions made by learned counsel for the petitioner and also the fact that the petitioner has not drawn any house rent as he was residing in the house allotted by the Board and he is in custody since 30.07.2015 and similarly situated persons, namely, Ram Dhan and Kamal have been released on regular bail and moreover, nothing is to be recovered from the petitioner as all the relevant documents are either in the custody of the Investigating Agency or with the department and the trial will take long time to conclude, the present petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

21.09.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE