

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

CRM-M-34257-2015 (O&M)

Date of decision : 05.11.2015

Vikas Attri

...Petitioner

Versus

The State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Sharmila Sharma, Advocate,
for the petitioner.

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

JITENDRA CHAUHAN, J. (Oral)

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 Sections 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.

The learned counsel for the petitioner contends that co-accused, Vikas Sharma, against whom, the charge is of accepting Rs.30,000/-, from the complainant, has been enlarged on bail by this Court. No amount was recovered from the conscious possession of the petitioner. In fact, the amount was recovered from the file, which was

in the possession of the complainant. The petitioner is in custody since 29.05.2015. The complainant has been examined.

On the other hand, the learned State counsel, on instructions, submits that the co-accused, who has been enlarged on bail, was not a Government servant. In a trap laid by the Vigilance Bureau, the petitioner was caught red-handed and Rs.10,000/- were recovered from his possession. However, he admits the fact that the complainant already stands examined. It is further informed that out of twenty prosecution witnesses, four have already been examined.

Heard.

Considering the fact that the co-accused, from her, allegedly Rs.30,000/- had been recovered, has already been released on bail, the petitioner is in custody since 29.05.2015 and only four out of twenty prosecution witnesses have been examined, therefore, this Court is of the view that the petitioner cannot be kept in incarceration for an indefinite period as the trial is not likely to be concluded in the near future.

Accordingly, 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.

05.11.2015
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(JITENDRA CHAUHAN)
JUDGE

ATUL SETHI
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I attest to the accuracy and
authenticity of this document
Chandigarh