

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

**Crl. Misc. No. M-8630 of 2015
Date of Decision:-23.3.2015**

Om Parkash

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mrs. Baljit Mann, Advocate
for the petitioner.

Mr. Manish Bansal, Assistant A.G., Haryana.

HARI PAL VERMA J.

Prayer in this petition, filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner Om Parkash, who has been booked for having committed the offence punishable under Sections 7 and 13 of the Prevention of Corruption Act, 1988 in a case arising out of FIR No.16 dated 14.1.2015, registered at Police Station Sadar, Thanesar, District Kurukshetra.

Learned counsel for the petitioner contends that the recovery from the petitioner is stated to have been effected on 14.1.2015, whereas on that date petitioner was not dealing with the case. On 6.1.2015, the petitioner was already posted from Police Station Pehowa to PCR Pehowa and thereafter on 13.1.2015 he was further posted from PCR

Pehowa to Police Line, Kurukshetra. In this manner, the petitioner was not dealing with the case in hand on the date when recovery is stated to have been effected from him.

Learned counsel for the petitioner while placing reliance in case of **Sanjay Chandra vs. CBI 2011(4) RCR (Criminal) 898** has argued that in the case in hand investigation is already complete and charge-sheet has been filed. Trial is likely to take a considerable time and therefore, there is no reason to detain the accused in custody when there was no serious contention that the accused, if released, on bail, would interfere with the trial or tamper with the evidence.

Learned counsel appearing for the State on instructions from ASI Baljit Singh has not disputed the aforesaid facts.

After hearing the learned counsel for the parties and going through the contents of petition, the same is allowed. The petitioner Om Parkash is ordered to be released on bail during the pendency of the trial subject to his furnishing bail bond/surety to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Kurukshetra.

The petition is disposed of.

March 23, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE