

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

108

CRM-M-29407-2016 (O&M).

Decided on: September 16, 2016.

Ram Kumar

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

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CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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PRESENT Mr.Suresh Ahlawat, Advocate,
for the petitioner.

Mr.G.S.Salwara, DAG., Haryana.

M.M.S. BEDI, J. (ORAL)

Petitioner is a peon in the Department of Electricity. As per the allegations of Suresh Kumar, a sum of Rs.16 lacs of Electricity Department was outstanding against his connection. He met Rajiv Sharma, SDO, for clearance of the outstanding and for issuance of no objection certificate for which he was asked to deposit Rs.4 lacs being 1/4th of the outstanding amount. A demand was raised by SDO Rajiv Sharma for a sum of Rs.50,000/- to be paid to the petitioner for issuing no objection certificate.

A sum of Rs.50,000/- was received by the petitioner and Rajiv Sharma issued no objection certificate but sum of Rs.4 lacs had not been deposited in the concerned head. Surprisingly, the Special Judge, Jind has granted the concession of pre-arrest bail to SDO Rajiv Sharma and refused the regular bail to the petitioner.

Without expression of any opinion on merits, it is

sufficient to observe that prima facie there is no allegation against the

petitioner of having demanded money. Money received, if any, is in context to the work which has been done by the co-accused of the petitioner who has been granted concession of pre-arrest bail. The petitioner being in custody w.e.f. 5.7.2016 and challan having already been presented, the petitioner can be granted the concession of regular bail.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Special Judge, Jind.

(M.M.S. BEDI)
JUDGE

September 16, 2016.
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Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No