

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

CRM-M-33045-2016

Date of Decision: September 23, 2016

Kashmir Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Zorawar Singh Chauhan, Advocate,
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

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

The petitioner is working as a Senior Assistant in the Excise and Taxation Department. On the basis of a complaint received from Raman Kumar, Clerk in the same office, an inquiry was conducted, resulting in a conclusion that for the test period from 01.01.2007 to 31.12.2014, the petitioner had disproportionate assets and incurred expenses which were 60% more than his income.

Learned State counsel has opposed the petition for bail contending that the disproportionate assets have been utilized by the petitioner in the business of liquor as his wife is owner of a liquor vend.

I have heard learned counsel for the petitioner, learned State counsel and gone through the record. The wife of the petitioner appears to be running liquor business as partner along with five other persons. Since the recoveries regarding the assets have already been effected, police remand had also been obtained and he has been in custody w.e.f. 22.08.2016, it is not deemed appropriate to extend his judicial custody till the final conclusion of the trial as a penalty measure.

In view of the above, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of Chief Judicial Magistrate, S.B.S. Nagar, subject to the conditions that the petitioner will not make any attempt to tamper with the evidence or hamper investigation or trial in any manner and will not directly or indirectly make any inducement or threat to any witness or person acquainted with the facts of this case. He will also not leave India without the permission of the Court and would surrender his passport.

(M.M.S. BEDI)
JUDGE

September 23, 2016
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Whether Speaking/Reasoned	: Yes/No
Whether Reportable	: Yes/No