

Cr. Misc. M 37293 of 2016

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

Cr. Misc. M 37293 of 2016
Date of decision: 4.11.2016

Ram Niwas

Petitioner

vs.

State of Haryana

Respondent

Present: Mr. Anil Kumar, Advocate.
Mr. CS Bakshi, Addl.A.G. Haryana

M.M.S.BEDI,J.

This is a second petition for regular bail in a case, which was registered on the basis of a confidential letter received by DSP Kaithal from the office of District and Sessions Judge, Kaithal along with a CD containing conversation between Rajesh, an accused in case u/s 406/420/506 IPC, brought on the record by Rajesh in the court. As per the CD, the petitioner had demanded money from Rajesh in a criminal case for giving the same to Judicial Magistrate Ist Class, Kaithal, before whom he was being tried.

After going through the conversation in the CD, it was found that the petitioner had demanded illegal gratification from Rajesh in the name of the Judicial Officer, claiming acquittance and relationship with the officer, being his uncle.

On asking of the Court, it has been informed that Rajesh has been acquitted in the criminal case. The allegations against the petitioner, on the face of it, are very serious, prima facie constituting an offence u/s 8 of the Prevention of Corruption Act but since no recovery has been effected from the petitioner and he has been in custody w.e.f. 3.2.2016; prosecution

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has examined 4 prosecution witnesses out of 10; CD and FSL report regarding voice having already been brought on the record, the petitioner can be granted the concession of bail, without expression of any opinion on merits of the case.

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 trial court

November 4 ,2016	(M.M.S.BEDI)
TSM	JUDGE
Whether speaking/ reasoned	Yes/ No
Whether Reportable	Yes/ No