

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

CRM-M No. 42037 of 2015 (O&M)

Date of Decision: 19.02.2016

Gurcharan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Karanvir Singh Khehar, Advocate
for the petitioner.

Mz. Rimplejeet Kaur, AAG, Punjab
for the respondent/State assisted by SI Balwant Singh.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the accused-petitioner in case FIR No. 62, dated 07.03.2015, for offences punishable under Sections 7/13 (1) (d), 8, 9 and 12 of P.C. Act, 1988, registered at Police Station Tripuri Town, Patiala.

The petitioner-accused is Inspector in the Punjab Police and was last posted as SHO, Police Station Anaj Mandi, Patiala.

Allegations against the petitioner are that he had arranged for non-inclusion of Bikramjit Singh @ Bikar in a separate FIR relating to intoxication business registered against Latif Khan, Bashir Khan, Manir Ali and Charanpreet Singh. It is alleged that the petitioner-Gurcharan Singh had received a sum of Rs. 7 lacs through his tout/co-accused/non-applicant-Kirpal Singh for helping Bikramjit Singh @ Bikar to evade the process of law in separate FIR.

It is contended that the entire demand and recovery is from the co-accused/non-applicant-Kirpal Singh and there is no material

on record to connect the present accused/petitioner to the said transaction. It is further contended that the petitioner is in custody since 07.03.2015 and after completion of the investigation, challan stands presented on 28.04.2015. It is further pointed out that the trial is getting delayed on account of a pending revision filed by the petitioner himself regarding framing of the charge under the Prevention of Corruption Act.

Learned State Counsel, assisted by SI Balwant Singh, does not refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the facts noticed above and custody period of the petitioner, no useful purpose would be served by keeping the petitioner/accused in custody since the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Patiala.

February 19, 2016

'dk kamra'

**(JASWANT SINGH)
JUDGE**