

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-18735 of 2017
Date of Decision: 17.07.2017

Akash Sharma

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Abhimanyu Singh, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.144 dated 05.03.2017 registered for offences punishable under Sections 384, 389 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Model Town Rewari.

Heard.

Allegation against the petitioner and other accused in this case is that they while posing as officers making enquiry into a complaint received from P.M.O. office regarding disproportionate assets of complainant made a call to him to pay them ₹1,50,000/- as illegal gratification for filing that complaint.

As per case of prosecution, co-accused-Upender Kumar was arrested by holding a trap. Name of the petitioner is cropped up in disclosure statement of Upender and the petitioner was arrested on 15.04.2017. Father of the petitioner has also been arrested by now.

The police after completion of investigation has presented the challan against the petitioner.

Keeping in view the fact that name of petitioner has cropped up in the disclosure statement of co-accused Upender Kumar, which is subject to scrutiny by the Court qua its relevance and that conclusion of trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Akash Sharma is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

July 17, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No