

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**1. CRM-M-22948 of 2017
Date of Decision: 02.08.2017**

Damandeep Singh

....Petitioner

VERSUS

Central Bureau of Investigation, Chandigarh

....Respondent

2. CRM-M-24675 of 2017

Sarwan Kumar Bhatia

....Petitioner

VERSUS

Central Bureau of Investigation, Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bipan Ghai, Senior Advocate
with Mr. Paras Talwar, Advocate
for the petitioners in both the petitions.

Mr. Sumeet Goel, Advocate
Retainer counsel for respondent-CBI.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No. RCCHG2017A0011 dated 05.05.2017 registered for offences punishable under Sections 7, 13 (1) (d) read with Section 13 (2) of Prevention of Corruption Act, 1988 and 120 of Indian Penal Code (for short, "IPC") at Police Station CBI, ACB, Chandigarh.

Heard.

Reply filed by respondent-CBI in both the petitions is taken on record.

Both the petitioners were arrested by CBI on 05.05.2017 after

laying a trap. Allegations against petitioners are that complainant after purchasing a Honda Amaze Car, visited the Transport Office of Punjab, Sector 17, Chandigarh on 03.05.2017 and met Sarwan Kumar Bhatia, Assistant, Transport Office (petitioner in CRM-M-24675) and submitted his file for issuance of registration certificate (RC) and All India Permit. Petitioner-Sarwan Kumar Bhatia calculated the total fee chargeable from complainant as ₹16,000/- and further penalty of ₹50/- as late fee per day. On further enquiry, complainant found that actual fee for issuance of RC and All India Permit was ₹9500/- only. He then contacted CBI and gave his complaint on which a trap was laid and both the petitioners were arrested.

Learned counsel appearing for respondent-CBI submits that after investigation of case, challan has been presented in Court and trial is in progress.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, present petitions are allowed. Petitioner-Damandeep Singh in CRM-M-22948-2017 and petitioner-Sarwan Kumar Bhatia in CRM-M-24675-2017 are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel

their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.

- (c) They shall not leave the country without the previous permission of the Court.

August 02, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No