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

CRM-M-39362 of 2016 (O&M)

Date of decision: August 10, 2017

Bhagat Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Sharad Kumar Yadav, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner who is a Patwari seeks grant of regular bail in FIR No.178 dated 01.07.2015, under Sections 409, 420, 467, 468, 472, 201, 120-B of Indian Penal Code, 1860 and Sections 7/8/13 of Prevention of Corruption Act, 1988, registered at Police Station Old Sabzi Mandi, Rohtak, District Rohtak.

Learned State counsel, on instructions from the police official, states that there is fraud, forgery etc. by the revenue officials including Patwari. The matter is still under investigation. The petitioner was arrested on 01.07.2016 and is in custody since then. Learned State counsel submits that the challan has been filed qua the petitioner and the investigation for filing supplementary report is pending.

The Investigating Officer states that no steps have been taken for attachment of the property of the accused persons. She gave

assurance that immediate steps will be taken to identify and attach the property of the accused persons including the petitioner. Statement is accepted. Compliance report in this regard be submitted to this Court within 2 months from today.

In so far as the present petitioner is concerned, undoubtedly, he has committed serious offence, prima-facie. However, looking to the date of his arrest and the fact of filing of challan, there will be no use of keeping the petitioner in jail under trial *ad infinitum* as the trial will not start as the investigation is incomplete.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well. Department concerned is directed to take up inquiry against the petitioner.

(A.B. CHAUDHARI)
JUDGE

August 10, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No