

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

**Crl. Misc. No.M-46989 of 2017 (O&M)
Date of Decision: December 21, 2017.**

Sanjay Pandey

.....PETITIONER(s).

VERSUS

CBI, U.T. Chandigarh

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Karanvir Nanda, Advocate
for the petitioner (s).

Mr. S.S.Sandhu, Advocate
for the respondent-CBI.

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. RCCHG2017A0020 dated 10.10.2017 registered for the offences punishable under Sections 7, 12, 13(2) read with Section 13(1) (d) of Prevention of Corruption Act, 1988; 120-B of Indian Penal Code at Police Station CBI, ACB, Chandigarh.

Heard.

Notice of motion.

On asking of the court, Mr. S.S.Sandhu, Advocate for CBI, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and

record of the case is available with him.

Reply on behalf of CBI filed today in the Court, is taken on record.

Learned counsel for the petitioner submits that the petitioner was arrested on 11.10.2017 and challan against him has been presented in the Court on 07.12.2017. The allegations against the petitioner are that he had conspired with Chander Prakash Midha, Technician, Institute of Microbial Technology, CSIR, Department of Scientific and Industrial Research, Sector 39-A, Chandigarh in the matter of *No Objection Certificate* (for short NOC) for extraction of ground water. The co-accused Swaraj Kandoi has already been allowed regular bail by this Court vide order dated 04.12.2017 passed in CRM-M-44606-2017.

Learned counsel representing the CBI submits that the petitioner was posted as Scientist-B, Central Ground Water Board, North Western Region, Bhujal Bhawan, Plot No. 3-B, Sector 27-A, Chandigarh and his office has to make first recommendation for issuing NOC, as such, he was directly involved in the matter.

Keeping in view the facts that challan has already been presented before the Court and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Sanjay Pandey is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/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 prior permission of the Court.

(SURINDER GUPTA)
JUDGE

December 21, 2017
Jyoti-II

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>