

Sr. No.219

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

CRM No. M- 6177 of 2017 (O&M)

Date of Decision:10.05.2017

Davinder Yadav

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. K.S. Khehar, Advocate for
Mr. Dhawal P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

CRM No.15461 of 2017

Application is allowed, as prayed for.

Copies of the statements/deposition of PW1 and PW2
are taken on record at Annexure P-4 (Colly).

Application disposed of.

Main case

This order shall dispose of the instant petition filed
under Section 439 Cr.P.C. seeking benefit of regular bail to the
petitioner pending trial in case FIR No.06 dated 15.12.2016, under
Sections 7 & 13 of the Prevention of Corruption Act, registered at
Police Station State Vigilance Bureau, Panchkula.

FIR came to be registered on the statement of Piyush

Dhiman. Complainant asserted that land measuring 32 Biswas in the name of his father, was acquired in Village Bhogpur, Tehsil Kalka and a compensation amount of ₹10 lacs approximately was assessed by the Land Acquisition Office. It was stated that father of the complainant had submitted complete file regarding release of compensation to the present petitioner, who was holding the post of Kanungo in the office of Land Acquisition Office, Panchkula.

Precise allegations is with regard to the petitioner having demanded and received a sum of ₹10,000/- as illegal gratification for release of the compensation amount.

Petitioner was arrested on 16.12.2016.

Investigation in the case is complete, challan presented and even charges have been framed on 07.03.2017.

Out of 18 prosecution witnesses cited, learned counsel would inform that only two official witnesses have been examined till date.

The trial as such would take time to conclude.

This Court has perused the order dated 27.01.2017, passed by the learned Additional Sessions Judge, Panchkula and in terms of which, the prayer of the petitioner seeking concession of regular bail was declined on the observations that he may hamper the investigation of the case. During the course of arguments, it has gone uncontroverted that such eventuality and apprehension does not survive in the light of fact that challan already stands presented.

Even otherwise, the sanction to prosecute the petitioner has already been granted by the Competent Authority.

Without making any observation on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the trial Court/Duty Magistrate, Panchkula.

Disposed of.

10.05.2017

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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