

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6649 of 2017 (O&M)

Date of Decision: 14.03.2017

Lakhwinder Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Tarundeep Kumar, Advocate for
Mr. D.S. Pheruman, Advocate for the petitioner.

Mr. Neeraj Sharma, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.40 dated 19.12.2016 under sections 7, 13(2) of Prevention of Corruption Act, registered at Police Station, Vigilance Bureau, Amritsar.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of complainant Iqbal Singh. It was alleged that the complainant is the nephew of a member of Gram Panchayat. The present petitioner, who was working as revenue official i.e. Patwari was contacted to obtain a copy of khasra girdawari on behalf of the Gram Panchayat, whereupon a demand of illegal gratification of Rs.8,000/- was raised. A trap was laid and the petitioner was caught red handed while accepting Rs.4,000/-.

Petitioner has been in custody since 20.12.2016.

Learned State counsel would apprise the Court that even though challan was presented after completion of investigation but since sanction for prosecution of the public servant i.e. the present petitioner has thereafter been received, a supplementary challan would now be filed.

Contention raised by counsel appearing for the petitioner is that the prosecution version is improbable as Gram Panchayat itself would not have a deal as regards illegal gratification for procuring a khasra girdawari.

Without making any observations on merits, keeping in view the fact that the investigation already stands concluded and the petitioner having already faced incarceration for a period in excess of three months, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Amritsar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.03.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No