

Sr.No.226

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CRM-M-16711 OF 2018(O&M)

Date of Decision: 27.04.2018

SatishPetitioner

versus

State of HaryanaRespondent

CORAM HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present Mr. R.S.Rai, Sr. Advocate
with Mr. Manish Soni, Advocate for the petitioner.
Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J(ORAL)

Petitioner seeks regular bail pending trial in FIR No.349 dated 23.11.2017, under Sections 420, 166, 167, 384, 465, 467, 468, 471, 120-B IPC and under Sections 7,8,10,12,13,13(1)D, 15 of P.C Act, 1988 registered at Police Station Shivaji Nagar, District Gurugram.

Briefly noticed FIR was registered upon a secret information having been received as regards corrupt practices being adopted by officials posted and working in the office of the Regional Transport Authority, Gurugram as also Regional Transport Authority, Rewari in connivance with other conduits. Mobile conversations of mobile Nos. 9582599898, 9468474207 and 9467794105 were intercepted.

Petitioner, herein, was stated to be serving as Transport Sub Inspector in the office of RTA, Rewari. He is sought to be implicated on the strength of a conversation intercept between Tarun co-accused and Avinash @ Bobby. It is the case of the prosecution that petitioner was misusing his authority and indulging in corrupt practices so as to facilitate the process of files pertaining to renewal of driving licences.

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Petitioner was arrested on 04.01.2018.

Investigation in the case is complete and challan qua the petitioner has been presented on 04.04.2018.

State counsel has opposed the prayer for bail by contending that in relation to a check period i.e May 2017 to December 2017, petitioner has been found to have amassed enormous wealth and which is disproportionate to his known sources of income. In this regard, it is submitted that petitioner had even purchased a Fortuner vehicle worth ₹32,00,000/-. Bank account of the petitioner was found to be containing a deposit of approximately ₹10,00,000/- and his wife deposit of ₹ 22,00,000/- approximately.

Senior counsel representing the petitioner would refute such allegations by adverting to the documents placed on record as Annexure P6 (colly) and which would reflect the ownership of the vehicle in question in the name of one Jai Bhagwan Singh Sehrawat. As regards the amount in the bank account is concerned, it is urged that there was a deposit of almost ₹19,00,000/- even prior to the cheque period.

This Court would desist from making any observations on the aspect as regards petitioner possessing disproportionate wealth to his known sources of income lest the same may influence the course of trial.

Petitioner has been roped in on the strength of alleged recorded conversation between co-accused Tarun and Avinash @ Bobby.

The conceded position of fact is that voice sample of main accused Tarun has already been obtained and sent for analysis to FSL Madhuban, Karnal and report is still awaited. State counsel has informed the Court that voice sample of Avinash @ Bobby is yet to be taken.

Trial is at the very initial stage and would take time to conclude.

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It is not the case made out on behalf of the State that petitioner if granted benefit of bail would be in a position to hamper the course of free and fair trial.

Other co-accused, who were also the employees of RTA Gurugram and RTA Rewari i.e Tarun and Daya Shankar, have been granted benefit of bail. Avinash Bhasin @ Bobby has been granted benefit of bail by this Court in the light of order dated 14.03.2018 in CRM-M-6913-2018.

Without making any observations on merits, petitioner is found entitled to the benefit of bail.

Petitioner be enlarged on bail subject to the satisfaction of Chief Judicial Magistrate / Duty Magistrate, Gurugram.

27.04.2018
mamta

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No