

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

**CRM-M-17720 of 2018**  
**Date of Decision: 31.05.2018**

Harjinder Singh Walia

....Petitioner

**VERSUS**

State of Punjab

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. H.S. Bedi, Advocate  
for the petitioner (s).

Ms. Monika Jalota, DAG, Punjab.

Mr. Bikamjit Aurora, Advocate  
for the complainant.

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**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.06 dated 09.03.2018 registered for the offence punishable under Section 13 (1) (e) read with Section 13 (2) of Prevention of Corruption Act at Police Station Vigilance Bureau, Amritsar.

Heard.

The petitioner was arrested on 09.03.2018.

As per allegations in the FIR, during check period from 01.01.2002 to 31.12.2007, the petitioner was having income of ₹7,02,604/- from known sources while his spending was calculated as ₹13,45,543/-.

Learned counsel for the petitioner submits that investigating officer has taken the check period from 01.01.2002 to 31.12.2007 and has not taken into account the salary earned by petitioner, who is in service from

1991. Wife of the petitioner is also partner in a firm with his brother and her income was not taken into account.

Learned State counsel submits that investigation is still in progress and challan has not been filed so far.

Learned counsel for complainant submits that petitioner has other properties as mentioned in his complaint, which require to be verified during investigation. Learned counsel for complainant has supplied to learned State counsel details of taxes which the petitioner has collected but not deposited with the Government.

Submissions of learned counsel for parties are subject matter of investigation. However, keeping in view the fact that petitioner is in custody for the last about three months and his custodial interrogation is no more required, the present petition is allowed. Petitioner-Harjinder Singh Walia is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/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 previous permission of the Court.

**May 31, 2018**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No