

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21527 of 2018
Date of Decision: 28.05.2018

Heera Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sarbjit Singh, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

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.46 dated 15.05.2017 registered for offences punishable under Sections 7/8/12/13 (1) of Prevention of Corruption Act read with Section 201 of Indian Penal Code at Police Station Khalra, District Tarn Taran.

Heard.

Learned State counsel submits that the petitioner was facilitator in payment of bribe to ASI Hardeep Singh for letting off Rajbir Kaur @ Raj Kaur from whom contraband was recovered as per information supplied by complainant-Gurmukh Singh. Rajbir Kaur @ Raj Kaur was arrested in this case while ASI Hardeep Singh, who is main accused has not been arrested so far and proceedings to declare him proclaimed offender are under process. Police has presented challan against Rajbir Kaur @ Raj Kaur. The petitioner surrendered before the Court on 04.05.2018 and the matter against him is still under investigation.

Rajbir Kaur @ Raj Kaur, the main accused, was allowed bail by this Court vide order dated 31.10.2017 passed in CRM-M-39474-2017.

Allegation against the petitioner are that he was mediator, who settled the bargain between ASI Hardeep Singh and Rajbir Kaur @ Raj Kaur and bribe of ₹8000/- was paid to ASI Hardeep Singh through him.

Keeping in view allegation against the petitioner and the fact that Rajbir Kaur @ Raj Kaur, the main accused, has already been allowed regular bail and that completion of investigation, presentation of challan and then conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Heera Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 28, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No